

**HOUSE AMENDMENT NO. \_\_\_\_**

**TO**

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**Offered By**

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1 AMEND House Amendment No. \_\_\_\_ to House Committee Substitute for Senate Committee  
2 Substitute for Senate Bill No. 0510 Page \_\_\_\_ Line \_\_\_\_, by inserting after all of said line the  
3 following:

4 "Further amend said bill, Page 10, Section 339.098, Line 3, by inserting after all of said  
5 line the following:

6 "589.400. 1. Sections 589.400 to 589.425 shall apply to:

7 (1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found  
8 guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to  
9 commit a felony offense of chapter 566, including sexual trafficking of a child and sexual  
10 trafficking of a child under the age of twelve, or any offense of chapter 566 where the victim is a  
11 minor, unless such person is exempted from registering under subsection 8 of this section; or

12 (2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found  
13 guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to  
14 commit one or more of the following offenses: kidnapping when the victim was a child and the  
15 defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when  
16 such abuse is sexual in nature; felonious restraint when the victim was a child and the defendant is  
17 not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a  
18 nursing home, under section 565.200; endangering the welfare of a child under section 568.045  
19 when the endangerment is sexual in nature; genital mutilation of a female child, under section  
20 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree;  
21 promoting prostitution in the third degree; sexual exploitation of a minor; promoting child  
22 pornography in the first degree; promoting child pornography in the second degree; possession of  
23 child pornography; furnishing pornographic material to minors; public display of explicit sexual  
24 material; coercing acceptance of obscene material; promoting obscenity in the first degree;  
25 promoting pornography for minors or obscenity in the second degree; incest; use of a child in a

1 sexual performance; or promoting sexual performance by a child; or

2 (3) Any person who, since July 1, 1979, has been committed to the department of mental  
3 health as a criminal sexual psychopath; or

4 (4) Any person who, since July 1, 1979, has been found not guilty as a result of mental  
5 disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or

6 (5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who  
7 has been convicted of, found guilty of, or has pleaded guilty or nolo contendere to committing,  
8 attempting to commit, or conspiring to commit a felony under chapter 566 which is equal to or  
9 more severe than aggravated sexual abuse under 18 U.S.C. Section 2241, which shall include any  
10 attempt or conspiracy to commit such offense; or

11 (6) Any juvenile fourteen years of age or older at the time of the offense who has been  
12 adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18  
13 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense; or

14 (7) Any person who is a resident of this state who has, since July 1, 1979, or is hereafter  
15 convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, territory,  
16 or the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction to  
17 committing, attempting to commit, or conspiring to commit an offense which, if committed in this  
18 state, would be a violation of chapter 566, or a felony violation of any offense listed in subdivision  
19 (2) of this subsection or has been or is required to register in another state, territory, the District  
20 of Columbia, or foreign country, or has been or is required to register under tribal, federal, or  
21 military law; or

22 (8) Any person who has been or is required to register in another state or has been or is  
23 required to register under tribal, federal, or military law and who works or attends an educational  
24 institution, whether public or private in nature, including any secondary school, trade school,  
25 professional school, or institution of higher education on a full-time or on a part-time basis or has  
26 a temporary residence in Missouri. "Part-time" in this subdivision means for more than seven  
27 days in any twelve-month period.

28 2. Any person to whom sections 589.400 to 589.425 apply shall, within three days of  
29 conviction, release from incarceration, or placement upon probation, register with the chief law  
30 enforcement official of the county or city not within a county in which such person resides unless  
31 such person has already registered in that county for the same offense. Any person to whom  
32 sections 589.400 to 589.425 apply if not currently registered in their county of residence shall  
33 register with the chief law enforcement official of such county or city not within a county within  
34 three days. The chief law enforcement official shall forward a copy of the registration form  
35 required by section 589.407 to a city, town, village, or campus law enforcement agency located

1 within the county of the chief law enforcement official, if so requested. Such request may ask the  
2 chief law enforcement official to forward copies of all registration forms filed with such official.  
3 The chief law enforcement official may forward a copy of such registration form to any city, town,  
4 village, or campus law enforcement agency, if so requested.

5 3. The registration requirements of sections 589.400 through 589.425 are lifetime  
6 registration requirements unless:

7 (1) All offenses requiring registration are reversed, vacated or set aside;

8 (2) The registrant is pardoned of the offenses requiring registration;

9 (3) The registrant is no longer required to register and his or her name shall be removed  
10 from the registry under the provisions of subsection 6 of this section; or

11 (4) The registrant may petition the court for removal or exemption from the registry under  
12 subsection 7 or 8 of this section and the court orders the removal or exemption of such person  
13 from the registry.

14 4. For processing an initial sex offender registration the chief law enforcement officer of  
15 the county or city not within a county may charge the offender registering a fee of up to ten  
16 dollars.

17 5. For processing any change in registration required pursuant to section 589.414 the chief  
18 law enforcement official of the county or city not within a county may charge the person changing  
19 their registration a fee of five dollars for each change made after the initial registration.

20 6. Any person currently on the sexual offender registry for being convicted of, found  
21 guilty of, or pleading guilty or nolo contendere to committing, attempting to commit, or  
22 conspiring to commit, felonious restraint when the victim was a child and he or she was the parent  
23 or guardian of the child, nonsexual child abuse that was committed under section 568.060, or  
24 kidnapping when the victim was a child and he or she was the parent or guardian of the child shall  
25 be removed from the registry. However, such person shall remain on the sexual offender registry  
26 for any other offense for which he or she is required to register under sections 589.400 to 589.425.

27 7. Any person currently on the sexual offender registry for having been convicted of,  
28 found guilty of, or having pleaded guilty or nolo contendere to committing, attempting to commit,  
29 or conspiring to commit promoting prostitution in the second degree, promoting prostitution in the  
30 third degree, public display of explicit sexual material, statutory rape in the second degree, or  
31 sexual misconduct in the second degree and no physical force or threat of physical force was used  
32 in the commission of the crime may file a petition in the civil division of the circuit court in the  
33 county in which the offender was convicted or found guilty of or pled guilty or nolo contendere to  
34 committing, attempting to commit, or conspiring to commit the offense or offenses for the  
35 removal of his or her name from the sexual offender registry after ten years have passed from the

1 date he or she was required to register.

2 8. Effective August 28, 2009, any person on the sexual offender registry for having been  
3 convicted of, found guilty of, or having pled guilty or nolo contendere to an offense included  
4 under subsection 1 of this section may file a petition after two years have passed from the date the  
5 offender was convicted or found guilty of or pled guilty or nolo contendere to the offense or  
6 offenses in the civil division of the circuit court in the county in which the offender was convicted  
7 or found guilty of or pled guilty or nolo contendere to the offense or offenses for removal of his or  
8 her name from the registry if such person was nineteen years of age or younger and the victim was  
9 thirteen years of age or older at the time of the offense and no physical force or threat of physical  
10 force was used in the commission of the offense, unless such person meets the qualifications of  
11 this subsection, and such person was eighteen years of age or younger at the time of the offense,  
12 and is convicted or found guilty of or pleads guilty or nolo contendere to a violation of section  
13 566.068, 566.090, 566.093, or 566.095 when such offense is a misdemeanor, in which case, such  
14 person may immediately file a petition to remove or exempt his or her name from the registry  
15 upon his or her conviction or finding or pleading of guilty or nolo contendere to such offense.

16 9. (1) The court may grant such relief under subsection 7 or 8 of this section if such  
17 person demonstrates to the court that he or she has complied with the provisions of this section  
18 and is not a current or potential threat to public safety. The prosecuting attorney in the circuit  
19 court in which the petition is filed must be given notice, by the person seeking removal or  
20 exemption from the registry, of the petition to present evidence in opposition to the requested  
21 relief or may otherwise demonstrate the reasons why the petition should be denied. Failure of the  
22 person seeking removal or exemption from the registry to notify the prosecuting attorney of the  
23 petition shall result in an automatic denial of such person's petition. If the prosecuting attorney is  
24 notified of the petition he or she shall make reasonable efforts to notify the victim of the crime for  
25 which the person was required to register of the petition and the dates and times of any hearings or  
26 other proceedings in connection with that petition.

27 (2) If the petition is denied, such person shall wait at least twelve months before  
28 petitioning the court again. If the court finds that the petitioner is entitled to relief, which removes  
29 or exempts such person's name from the registry, a certified copy of the written findings or order  
30 shall be forwarded by the court to the chief law enforcement official having jurisdiction over the  
31 offender and to the Missouri state highway patrol in order to have such person's name removed or  
32 exempted from the registry.

33 10. Any nonresident worker or nonresident student shall register for the duration of such  
34 person's employment or attendance at any school of higher education and is not entitled to relief  
35 under the provisions of subsection 9 of this section. Any registered offender from another state

1 who has a temporary residence in this state and resides more than seven days in a twelve-month  
2 period shall register for the duration of such person's temporary residency and is not entitled to the  
3 provisions of subsection 9 of this section.

4 11. Any person whose name is removed or exempted from the sexual offender registry  
5 under subsection 7 or 8 of this section shall no longer be required to fulfill the registration  
6 requirements of sections 589.400 to 589.425, unless such person is required to register for  
7 committing another offense after being removed from the registry.”; and

8 Further amend said bill by amending the title, enacting clause, and intersectional references  
9 accordingly.”; and”; and

10  
11 Further amend said bill by amending the title, enacting clause, and intersectional references  
12 accordingly.