

FIRST REGULAR SESSION

HOUSE BILL NO. 799

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CONWAY (104) (Sponsor),
REIBOLDT AND FITZWATER (Co-sponsors).

0088L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 566, RSMo, by adding thereto one new section relating to sexual exploitation by a clergy person, with a penalty provision.

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

Section A. Chapter 566, RSMo, is amended by adding thereto one new section, to be known as section 566.088, to read as follows:

566.088. 1. A person commits the crime of sexual exploitation by a clergy person if such person is or holds oneself out to be a clergy person as defined in subsection 3 of this section, and engages in sexual conduct, as defined in section 566.010, with another person who is not the clergy person's spouse, and the sexual conduct occurred:

(1) During the course of a meeting in which the victim sought or received religious, spiritual, marital or relationship advice, counseling, therapy, aid, or comfort from the clergy person or within one hundred twenty days after such meeting; or

(2) During a period of time in which the victim was meeting on an ongoing basis with the clergy person to seek or receive religious, spiritual, marital or relationship advice, counseling, therapy, aid, or comfort from the clergy person; or

(3) While the clergy person was in a position of trust or authority over the victim and used that position of trust or authority to engage in the sexual conduct.

2. Consent by the victim is not a defense under this section.

3. As used in this section "clergy person" means any person practicing as a minister of the gospel, clergy, pastor, priest, bishop, cardinal, rabbi, Christian Science practitioner,

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 or other person serving in a similar capacity for any religious organization, as defined in
17 section 352.400.

18 4. Sexual exploitation by a clergy person is a class C felony.

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