

SECOND REGULAR SESSION

HOUSE BILL NO. 1389

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DIXON (Sponsor), CUNNINGHAM (86), JOLLY, RUESTMAN, BOUGH, WOOD, SCHNEIDER, LEMBKE, WILDBERGER, WITTE, VIEBROCK, SUTHERLAND, YATES, LUETKEMEYER, PARKER, ICET, WRIGHT, MORRIS, ROARK, THRELKELD, MARSH, BRINGER, NIEVES, BRUNS, BURNETT, DUSENBERG, KELLY (36), KELLY (144), ST. ONGE, SWINGER, BIVINS AND STEFANICK (Co-sponsors).

Read 1st time February 4, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4074L.011

AN ACT

To amend chapter 566, RSMo, by adding thereto one new section relating to sexual offenders, with penalty provisions.

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 566.147, to read as follows:

566.147. 1. Any person who has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of violating any of the provisions of this chapter or the provisions of section 565.253, RSMo, invasion of privacy; subsection 2 of section 568.020, RSMo, incest; section 568.045, RSMo, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, RSMo, use of a child in a sexual performance; section 568.090, RSMo, promoting a sexual performance by a child; section 573.023, RSMo, sexual exploitation of a minor; section 573.025, RSMo, promoting child pornography in the first degree; section 573.035, RSMo, promoting child pornography in the second degree; section 573.037, RSMo, possession of child pornography, or section 573.040, RSMo, furnishing pornographic material to minors; shall not establish residency within one thousand feet of any public school as defined in section 160.011, RSMo, or any private school giving instruction in a grade or grades not higher than the twelfth grade, or child care facility as defined in section 210.201, RSMo, which is in existence at the time such residency is established.

2. If such person has already established a residence and a public school, a private school, or child care facility is subsequently built or placed within one thousand feet of

17 **such person's residence, then such person shall, within one week of the opening of such**
18 **public school, private school, or child care facility, notify the county sheriff where such**
19 **public school, private school, or child care facility is located that he or she is now residing**
20 **within one thousand feet of such public school, private school, or child care facility and**
21 **shall provide verifiable proof to the sheriff that he or she resided there prior to the opening**
22 **of such public school, private school, or child care facility.**

23 **3. Violation of the provisions of subsection 1 of this section is a class D felony except**
24 **that the second or any subsequent violation is a class B felony. Violation of the provisions**
25 **of subsection 2 of this section is a class A misdemeanor except that the second or**
26 **subsequent violations is a class D felony.**