

HB 1896 -- Sexual Offenses

Sponsor: Cauthorn

This bill changes the laws regarding sexual offenses. In its main provisions, the bill:

(1) Allows the court to order a defendant, upon a plea of guilty or a finding of guilt for a felony sexual offense in which a computer, cellular telephone, or other electronic devices were seized to reimburse the state or local law enforcement agency for the reasonable costs incurred in the examination of the seized items;

(2) Specifies that computers, computer equipment, computer software and hardware, cellular telephones, or other devices capable of accessing the Internet which are used by the owner or with the owner's consent as a means for committing felonies must be forfeited to the state;

(3) Allows, upon a court order, a law enforcement agency in possession of computers, computer equipment, computer software and hardware, cellular telephones, or other devices capable of accessing the Internet or other devices used in the acquisition, possession, or distribution of child pornography or obscene material to retain possession of the property and convert it to the use of the agency for use in criminal investigations;

(4) Revises the crime of sexual misconduct involving a child to include when a person knowingly coerces or induces a child younger than 15 years of age to expose a female child's breasts for the purpose of arousing or gratifying the sexual desire of any person, including the child;

(5) Specifies that a person commits the crime of enticement of a child in second degree, a class D felony, when a person 21 years of age or older persuades, solicits, coaxes, entices, or lures whether by words, actions, or through communication via the Internet or any electronic communication, any person who is at least 15 years old but younger than 17 years old for the purpose of engaging in sexual conduct;

(6) Specifies that a person commits the crime of age misrepresentation, a class D felony, when he or she knowingly misrepresents his or her age to a person younger than 17 years of age or to a police officer masquerading as such in order to commit or attempt to commit a felony sexual offense under Chapter 566, RSMo, or Chapter 568; and

(7) Defines the terms "sexual conduct" and "sexual performance"

as it applies to the crime of use of a child in a sexual performance, a class C felony.