

FIRST REGULAR SESSION

# HOUSE BILL NO. 882

## 100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COLEMAN (97).

1922H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal section 567.050, RSMo, and to enact in lieu thereof one new section relating to the offense of promoting prostitution, with penalty provisions.

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

Section A. Section 567.050, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 567.050, to read as follows:

567.050. 1. A person commits the offense of promoting prostitution in the first degree if he or she knowingly:

(1) Promotes prostitution by compelling a person to enter into, engage in, or remain in prostitution; ~~or~~

(2) Promotes prostitution of a person less than sixteen years of age; or

**(3) Owns, manages, or operates an interactive computer service, as defined in 47 U.S.C. Section 230(f), or conspires or attempts to do so, with the intent to promote or facilitate the prostitution of another.**

2. The term "compelling" includes:

(1) The use of forcible compulsion;

(2) The use of a drug or intoxicating substance to render a person incapable of controlling his conduct or appreciating its nature;

(3) Withholding or threatening to withhold dangerous drugs or a narcotic from a drug dependent person.

3. **(1)** The offense of promoting prostitution in the first degree under subdivision (1) **or (3)** of subsection 1 of this section is a class B felony.

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.

17           **(2) The offense of promoting prostitution in the first degree under subdivision (3)**  
18 **of subsection 1 of this section is a class A felony if a person acts in reckless disregard of the**  
19 **fact that such conduct may contribute to the offense of trafficking for the purposes of**  
20 **sexual exploitation under section 566.209.**

21           **(3) The offense of promoting prostitution in the first degree under subdivision (2) of**  
22 **subsection 1 of this section is a felony punishable by a term of imprisonment not less than ten**  
23 **years and not to exceed fifteen years.**

24           **4. A person injured by the acts committed in violation of subdivision (3) of**  
25 **subsection 1 of this section and subdivision (2) of subsection 3 of this section shall have a**  
26 **civil cause of action to recover damages and reasonable attorneys' fees for such injury.**

27           **5. In addition to the court's authority to order a defendant to make restitution for**  
28 **the damage or loss caused by his or her offense as provided in section 559.105, the court**  
29 **shall enter a judgment of restitution against the defendant convicted of violating**  
30 **subdivision (3) of subsection 1 of this section and subdivision (2) of subsection 3 of this**  
31 **section.**

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