

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 697

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MAYER, PRATT, JOLLY, MERIDETH, BRINGER, HUBBARD, COOPER (120), BRUNS (Co-sponsors), MYERS, DEEKEN, DAUS, CAMPBELL, CRAWFORD, LUETKEMEYER, VILLA, SHOEMYER (9), BEAN, YATES AND DUSENBERG.

Read 1st time March 19, 2003, and copies ordered printed.

Taken up for Perfection May 9, 2003. Bill ordered Perfected and printed.

STEPHEN S. DAVIS, Chief Clerk

1941L.01P

AN ACT

To repeal sections 589.400, 589.407, and 589.414, RSMo, and to enact in lieu thereof three new sections relating to sexual offender registration.

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

Section A. Sections 589.400, 589.407, and 589.414, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 589.400, 589.407, and 589.414, to read as follows:

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

(1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit, a felony offense of chapter 566, RSMo, or any offense of chapter 566, RSMo, where the victim is a minor; or

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty to committing, or attempting to commit one or more of the following offenses: kidnapping, pursuant to section 565.110, RSMo; felonious restraint; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; incest; abuse of a child, pursuant to section 568.060, RSMo; use of a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under eighteen years of age; or

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.

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

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

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

23 (6) Any person who has been or is required to register in another state or has been or is
24 required to register under federal or military law and who works or attends school or training on
25 a full-time or on a part-time basis in Missouri. "Part-time" in this subdivision means for more
26 than fourteen days in any twelve-month period.

27 2. Any person to whom sections 589.400 to 589.425 apply shall, within ten days of
28 conviction, release from incarceration, or placement upon probation, register with the chief law
29 enforcement official of the county in which such person resides unless such person has already
30 registered in that county for the same offense. Any person to whom sections 589.400 to 589.425
31 apply if not currently registered in their county of residence shall register with the chief law
32 enforcement official of such county within ten days of August 28, 2002. The chief law
33 enforcement official shall forward a copy of the registration form required by section 589.407
34 to a city, town [or], village, **or campus** law enforcement agency located within the county of the
35 chief law enforcement official, if so requested. Such request may ask the chief law enforcement
36 official to forward copies of all registration forms filed with such official. The chief law
37 enforcement official may forward a copy of such registration form to any city, town [or], village,
38 **or campus** law enforcement agency, if so requested.

39 3. The registration requirements of sections 589.400 through 589.425 are lifetime
40 registration requirements unless all offenses requiring registration are reversed, vacated or set
41 aside or unless the registrant is pardoned of the offenses requiring registration.

589.407. Any registration pursuant to sections 589.400 to 589.425 shall consist of
2 completion of an offender registration form developed by the Missouri state highway patrol.
3 Such form shall include, but is not limited to the following:

4 (1) A statement in writing signed by the person, giving the name, address, Social
5 Security number and phone number of the person, the place of employment of such person,
6 **enrollment within any institutions of higher education**, the crime which requires registration,
7 whether the person was sentenced as a persistent or predatory offender pursuant to section

8 558.018, RSMo, the date, place, and a brief description of such crime, the date and place of the
9 conviction or plea regarding such crime, the age and gender of the victim at the time of the
10 offense and whether the person successfully completed the Missouri sexual offender program
11 pursuant to section 589.040, if applicable; and

12 (2) The fingerprints and a photograph of the person.

589.414. 1. If any person required by sections 589.400 to 589.425 to register changes
2 residence or address within the same county as such person's previous address, the person shall
3 inform the chief law enforcement official in writing within ten days of such new address and
4 phone number, if the phone number is also changed.

5 2. If any person required by sections 589.400 to 589.425 to register changes such
6 person's residence or address to a different county, the person shall appear in person and shall
7 inform both the chief law enforcement official with whom the person last registered and the chief
8 law enforcement official of the county having jurisdiction over the new residence or address in
9 writing within ten days, of such new address and phone number, if the phone number is also
10 changed. If any person required by sections 589.400 to 589.425 to register changes their state
11 of residence, the person shall appear in person and shall inform both the chief law enforcement
12 official with whom the person was last registered and the chief law enforcement official of the
13 area in the new state having jurisdiction over the new residence or address within ten days of
14 such new address. Whenever a registrant changes residence, the chief law enforcement official
15 of the county where the person was previously registered shall promptly inform the Missouri
16 state highway patrol of the change. When the registrant is changing the residence to a new state,
17 the Missouri state highway patrol shall promptly inform the responsible official in the new state
18 of residence.

19 **3. Any person required by sections 589.400 to 589.425 to register who changes his**
20 **or her enrollment or employment status with any institution of higher education within the**
21 **state, by either beginning or ending such enrollment or employment, shall inform the chief**
22 **law enforcement officer of such change within seven days after such change is made.**

23 **4.** Any person required by sections 589.400 to 589.425 to register who officially changes
24 such person's name shall inform the chief law enforcement officer of such name change within
25 seven days after such change is made.

26 [4.] **5.** In addition to the requirements of subsections 1 and 2 of this section, the
27 following offenders shall report in person to the county law enforcement agency every ninety
28 days to verify the information contained in their statement made pursuant to section 589.407:

29 (1) Any offender registered as a predatory or persistent sexual offender under the
30 definitions found in section 558.018, RSMo;

31 (2) Any offender who is registered for a crime where the victim was less than eighteen

32 years of age at the time of the offense; and

33 (3) Any offender who has pled guilty or been found guilty pursuant to section 589.425
34 of failing to register or submitting false information when registering.

35 [5.] 6. In addition to the requirements of subsections 1 and 2 of this section, all
36 registrants shall report annually in person in the month of their birth to the county law
37 enforcement agency to verify the information contained in their statement made pursuant to
38 section 589.407.

39 [6.] 7. In addition to the requirements of subsections 1 and 2 of this section, all Missouri
40 registrants who work or attend school or training on a full-time or part-time basis in any other
41 state shall be required to report in person to the chief law enforcement officer in the area of the
42 state where they work or attend school or training and register in that state. Part-time in this
43 subsection means for more than fourteen days in any twelve-month period.