

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 697

92ND GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, May 14, 2003, with recommendation that the Senate Committee Substitute do pass.

1941S.04C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 210.937, 589.400, 589.407, and 589.414, RSMo, and to enact in lieu thereof four new sections relating to certain registries, with a termination date for a certain section.

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

Section A. Sections 210.937, 589.400, 589.407, and 589.414, RSMo, are repealed
2 and four new sections enacted in lieu thereof, to be known as sections 210.937, 589.400,
3 589.407, and 589.414, to read as follows:

210.937. The provisions of sections 210.900 to 210.936 shall terminate on
2 January 1, [2004] **2010**.

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

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

6 (2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been
7 found guilty of, or pled guilty to committing, or attempting to commit one or more of the
8 following offenses: kidnapping, pursuant to section 565.110, RSMo; felonious restraint;
9 promoting prostitution in the first degree; promoting prostitution in the second degree;
10 promoting prostitution in the third degree; incest; abuse of a child, pursuant to section
11 568.060, RSMo; use of a child in a sexual performance; or promoting sexual performance
12 by a child; and committed or attempted to commit the offense against a victim who is a
13 minor, defined for the purposes of sections 589.400 to 589.425 as a person under eighteen
14 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.

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

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

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

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

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

42 The chief law enforcement official may forward a copy of such registration form to any
43 city, town [or], village, **or campus** law enforcement agency, if so requested.

44 3. The registration requirements of sections 589.400 through 589.425 are lifetime
45 registration requirements unless all offenses requiring registration are reversed, vacated
46 or set 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
2 of completion of an offender registration form developed by the Missouri state highway
3 patrol. 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
6 person, **enrollment within any institutions of higher education**, the crime which
7 requires registration, whether the person was sentenced as a persistent or predatory
8 offender pursuant to section 558.018, RSMo, the date, place, and a brief description of
9 such crime, the date and place of the conviction or plea regarding such crime, the age
10 and gender of the victim at the time of the offense and whether the person successfully
11 completed the Missouri sexual offender program pursuant to section 589.040, if
12 applicable; and

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

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

25 [3.] 4. Any person required by sections 589.400 to 589.425 to register who
26 officially changes such person's name shall inform the chief law enforcement officer of
27 such name change within seven days after such change is made.

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

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

34 (2) Any offender who is registered for a crime where the victim was less than
35 eighteen years of age at the time of the offense; and

36 (3) Any offender who has pled guilty or been found guilty pursuant to section
37 589.425 of failing to register or submitting false information when registering.

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

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