

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1055
92ND GENERAL ASSEMBLY

Reported from the Committee on Crime Prevention and Public Safety, February 25, 2004, with recommendation that the House Committee Substitute for House Bill No. 1055 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

3722L.02C

AN ACT

To repeal sections 566.140, 566.141, and 573.037, RSMo, and to enact in lieu thereof three new sections relating to sexual offenses, with a penalty provision.

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

Section A. Sections 566.140, 566.141, and 573.037, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 566.140, 566.141, and 573.037, to read as follows:

566.140. Any person who has pleaded guilty to or been found guilty of violating the provisions of this chapter, and is granted a suspended imposition or execution of sentence or placed under the supervision of the board of probation and parole shall be required to participate in **and successfully complete** a program of treatment, education and rehabilitation designed for perpetrators of sexual offenses. **Any person participating in such a program shall be required to follow all directives of the treatment program provider.** Persons required to attend a program pursuant to this section may be charged a reasonable fee to cover the costs of such program.

566.141. Any person who is convicted of or pleads guilty or nolo contendere to any sexual offense involving a child shall be required as a condition of probation or parole to be involved in **and successfully complete** an appropriate treatment program. **Any person involved in such a program shall be required to follow all directives of the treatment program provider.**

573.037. 1. A person commits the crime of possession of child pornography if, knowing

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.

2 of its content and character, such person possesses any obscene material that has a child as one
3 of its participants or portrays what appears to be a child as an observer or participant of sexual
4 conduct.

5 2. Possession of child pornography is a class [A misdemeanor unless the person has
6 pleaded guilty to or has been found guilty of an offense under this section, in which case it is a
7 class] D felony.