

SECOND REGULAR SESSION

# HOUSE BILL NO. 794

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES RIBACK WILSON (25) (Sponsor), JONES, FRASER,  
WALKER AND BURNETT (Co-sponsors).

Pre-filed December 2, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2434L.011

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### AN ACT

To repeal section 566.090, RSMo, and to enact in lieu thereof one new section relating to sexual misconduct in the first degree, with penalty provisions.

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

Section A. Section 566.090, RSMo, is repealed and one new section enacted in lieu  
2 thereof, to be known as section 566.090, to read as follows:

566.090. 1. A person commits the crime of sexual misconduct in the first degree if [he  
2 has deviate sexual intercourse with another person of the same sex or] he **or she** purposely  
3 subjects another person to sexual contact without that person's consent.

4 2. Sexual misconduct in the first degree is a class A misdemeanor unless the actor has  
5 previously been convicted of an offense under this chapter or unless in the course thereof the  
6 actor displays a deadly weapon in a threatening manner or the offense is committed as a part of  
7 a ritual or ceremony, in which case it is a class D felony.

**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.**