

SECOND REGULAR SESSION

HOUSE BILL NO. 1055

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BRUNS (Sponsor), DEEKEN, ERVIN, BIVINS, ENGLER, RUPP, BROWN, DAVIS (19), STEVENSON, STEFANICK, RUESTMAN, SUTHERLAND, HOBBS, KELLY (144), BOUGH, WILDBERGER, McKENNA, SMITH (14) AND REINHART (Co-sponsors).

Read 1st time January 13, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3722L.011

AN ACT

To repeal section 573.037, RSMo, and to enact in lieu thereof one new section relating to possession of child pornography, with a penalty provision.

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

Section A. Section 573.037, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 573.037, to read as follows:

573.037. 1. A person commits the crime of possession of child pornography if, knowing of its content and character, such person possesses any obscene material that has a child as one of its participants or portrays what appears to be a child as an observer or participant of sexual conduct.

2. Possession of child pornography is a class [A misdemeanor unless the person has pleaded guilty to or has been found guilty of an offense under this section, 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.