

SECOND REGULAR SESSION

# HOUSE BILL NO. 1287

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES JOLLY (Sponsor), SCHOEMEHL, WITTE, LeVOTA,  
HARRIS (110), WILLOUGHBY, WILDBERGER, DONNELLY, BROOKS,  
DUSENBERG AND MOORE (Co-sponsors).

Read 1<sup>st</sup> time January 28, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3877L.03I

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### AN ACT

To repeal sections 556.037 and 589.400, RSMo, and to enact in lieu thereof two new sections relating to sexual offenses.

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

Section A. Sections 556.037 and 589.400, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 556.037 and 589.400, to read as follows:

556.037. The provisions of section 556.036[,] to the contrary notwithstanding,  
2 prosecutions for unlawful sexual offenses involving a person eighteen years of age or under must  
3 be commenced within [ten] **twenty** years after the victim reaches the age of eighteen.

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 found  
3 guilty of, or pled guilty to committing, or attempting to commit, a felony offense of chapter 566,  
4 RSMo, or any offense of chapter 566, RSMo, where the victim is a minor; or

5 (2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found  
6 guilty of, or pled guilty to committing, or attempting to commit one or more of the following  
7 offenses: kidnapping, pursuant to section 565.110, RSMo; felonious restraint; promoting  
8 prostitution in the first degree; promoting prostitution in the second degree; promoting  
9 prostitution in the third degree; incest; abuse of a child, pursuant to section 568.060, RSMo;  
10 **promoting child pornography, pursuant to any offense of sections 573.020 and 573.040,**  
11 **RSMo;** use of a child in a sexual performance; or promoting sexual performance by a child; and  
12 committed or attempted to commit the offense against a victim who is a minor, defined for the

**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 purposes of sections 589.400 to 589.425 as a person under eighteen years of age; or

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

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

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

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

29 2. Any person to whom sections 589.400 to 589.425 apply shall, within ten days of  
30 conviction, release from incarceration, or placement upon probation, register with the chief law  
31 enforcement official of the county in which such person resides unless such person has already  
32 registered in that county for the same offense. Any person to whom sections 589.400 to 589.425  
33 apply if not currently registered in their county of residence shall register with the chief law  
34 enforcement official of such county within ten days of August 28, 2003. The chief law  
35 enforcement official shall forward a copy of the registration form required by section 589.407  
36 to a city, town, village, or campus law enforcement agency located within the county of the chief  
37 law enforcement official, if so requested. Such request may ask the chief law enforcement  
38 official to forward copies of all registration forms filed with such official. The chief law  
39 enforcement official may forward a copy of such registration form to any city, town, village, or  
40 campus law enforcement agency, if so requested.

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