

SECOND REGULAR SESSION

# HOUSE BILL NO. 1385

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES DIXON (Sponsor), BOUGH, WOOD, SCHNEIDER, CUNNINGHAM (86), LEMBKE, WITTE, WILSON (130), RUESTMAN, VIEBROCK, SUTHERLAND, DEMPSEY, YATES, LUETKEMEYER, PARKER, ICET, WRIGHT, MORRIS, ROARK, THRELKELD, MARSH, JOLLY, WILSON (42), MAYER, NIEVES, BRUNS, BURNETT, CORCORAN, DUSENBERG, KELLY (36), KELLY (144), KUESSNER, SANDER, ST. ONGE, SWINGER, BIVINS, MUCKLER AND STEFANICK (Co-sponsors).

Read 1<sup>st</sup> time February 4, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4069L.011

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### AN ACT

To amend chapter 566, RSMo, by adding thereto one new section relating to abuse of authority over a child, with penalty provisions.

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

Section A. Chapter 566, RSMo, is amended by adding thereto one new section, to be known as section 566.155, to read as follows:

**566.155. Any person who commits any type of sexual offense, pursuant to this chapter, or any offense against the family which involves sexual intercourse, deviate sexual intercourse, sexual conduct, a sexual performance, or a prohibited sexual act, pursuant to chapter 568, RSMo, against a victim who at the time the offense occurred was a child less than fourteen years of age, and who was able, in whole or in part, to commit such offense because he or she had care, custody, or control over the child or was otherwise in a position of authority over such child is also guilty of the felony of abuse of authority over a child and, upon conviction, shall be punished by imprisonment by the department of corrections and human resources for a term of years not less than five years and not more than ten years. The punishment imposed pursuant to this section shall be in addition to any punishment provided by law for the crime committed while such person had care, custody, or control, over such child or was otherwise in a position of authority over such child. No person convicted under this section shall be eligible for parole, probation, conditional release, or suspended imposition or execution of sentence for a period of five years.**