

SECOND REGULAR SESSION

HOUSE BILL NO. 1387

92ND GENERAL ASSEMBLY

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

Read 1st time February 4, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4072L.011

AN ACT

To repeal section 589.400, RSMo, and to enact in lieu thereof one new section relating to sex offender registration.

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

Section A. Section 589.400, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 589.400, to read as follows:

589.400. 1. Sections 589.400 to 589.425 shall apply to:

- (1) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty **or nolo contendere** to committing, or attempting to commit, a felony offense of chapter 566, RSMo, or any offense of chapter 566, RSMo, where the victim is a minor; or
- (2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty **or nolo contendere** to committing, or attempting to commit one or more of the following offenses: kidnapping, pursuant to section 565.110, RSMo; felonious restraint; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; **sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree;** incest; abuse of a child, pursuant to section 568.060, RSMo; use of a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a

17 victim who is a minor, defined for the purposes of sections 589.400 to 589.425 as a person under
18 eighteen years of age; or

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

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

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

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

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

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