

SECOND REGULAR SESSION

HOUSE BILL NO. 1637

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES JOHNSON (90) (Sponsor), HARRIS (23), SHOEMYER, SELBY,
HAMPTON, DARROUGH, ZWEIFEL, CORCORAN, HAYWOOD, BISHOP,
JOLLY AND MEADOWS (Co-sponsors).

Read 1st time March 8, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3667L.011

AN ACT

To repeal sections 566.093 and 566.095, RSMo, and to enact in lieu thereof two new sections relating to sexual misconduct, with penalty provisions.

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

Section A. Sections 566.093 and 566.095, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 566.093 and 566.095, to read as follows:

566.093. 1. A person commits the crime of sexual misconduct in the second degree if
2 **he or she**:

3 (1) Exposes his **or her** genitals under circumstances in which he **or she** knows that [his]
4 **such** conduct is likely to cause affront or alarm; or

5 (2) Has sexual contact in the presence of a third person or persons under circumstances
6 in which he **or she** knows that such conduct is likely to cause affront or alarm **or while being**
7 **in a public place in the presence of another person or persons.**

8 2. Sexual misconduct in the second degree is a class B misdemeanor unless the actor has
9 previously been convicted of an offense under this chapter, in which case it is a class A
10 misdemeanor.

566.095. 1. A person commits the crime of sexual misconduct in the third degree if he

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.

2 **or she** solicits or requests another person to engage in sexual conduct under circumstances in
3 which he **or she** knows that [his] **such** requests or solicitation is likely to cause affront or alarm
4 **or while being in a public place in the presence of another person or persons.**

5 2. Sexual misconduct in the third degree is a class C misdemeanor.