

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Section A. Section 573.037, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 573.037, to read as follows: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