

SECOND REGULAR SESSION

HOUSE BILL NO. 997

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DUSENBERG (Sponsor), KRAUS, SATER, DAVIS, DAY,
WILSON (119), BIVINS, EMERY, SUTHERLAND, FISHER, RUESTMAN, BROWN (30), MEADOWS,
ERVIN, McGHEE AND SILVEY (Co-sponsors).

Pre-filed December 1, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3146L.01I

AN ACT

To repeal section 573.037, RSMo, and to enact in lieu thereof one new section relating to possession of child pornography, with penalty provisions.

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Section A. Section 573.037, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 573.037, to read as follows: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 **[D]** **B** felony 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 **[C]** **A** felony.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.