

SECOND REGULAR SESSION

HOUSE BILL NO. 995

93RD GENERAL ASSEMBLY

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

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

STEPHEN S. DAVIS, Chief Clerk

3147L.01I

AN ACT

To repeal sections 217.735, 558.018, 559.106, 566.030, 566.032, 566.034, 566.040, 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.090, 566.100, 568.045, 589.407, 589.414, and 589.425, RSMo, and to enact in lieu thereof twenty-one new sections relating to sexual offenders, with penalty provisions.

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

Section A. Sections 217.735, 558.018, 559.106, 566.030, 566.032, 566.034, 566.040, 2 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.090, 566.100, 568.045, 589.407, 3 589.414, and 589.425, RSMo, are repealed and twenty-one new sections enacted in lieu thereof, 4 to be known as sections 217.735, 558.018, 559.106, 566.030, 566.032, 566.034, 566.040, 5 566.060, 566.062, 566.064, 566.067, 566.068, 566.070, 566.090, 566.100, 568.045, 569.092, 6 575.157, 589.407, 589.414, and 589.425, to read as follows:

217.735. 1. Notwithstanding any other provision of law to the contrary, the board shall 2 supervise an offender for the duration of his or her natural life when the offender has pleaded 3 guilty to or been found guilty of:

4 **(1)** An offense under section 566.030, 566.032, 566.060, 566.062, 566.067, 566.083, 5 566.100, 566.151, 566.212, 568.020, 568.080, or 568.090, RSMo, based on an act committed 6 on or after August 28, 2005, against a victim who was less than fourteen years old and the 7 offender is a prior sex offender as defined in subsection 2 of this section; or

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.

8 **(2) Any offense which requires board supervision for the duration of the offender's**
9 **natural life based on an act committed on or after August 28, 2006.**

10 2. For the purpose of this section, a prior sex offender is a person who has previously
11 **pleaded guilty to or** been found guilty of an offense contained in chapter 566, RSMo, **or of**
12 **violating section 568.020, RSMo, when the offense involved the offender having sexual**
13 **intercourse or deviate sexual intercourse with the victim, or of violating subdivision (2) of**
14 **subsection 1 of section 568.045, RSMo.**

15 3. Subsection 1 of this section applies to offenders who have been granted probation, and
16 to offenders who have been released on parole, conditional release, or upon serving their full
17 sentence without early release. Supervision of an offender who was released after serving his
18 or her full sentence will be considered as supervision on parole.

19 4. A mandatory condition of lifetime supervision of an offender under this section is that
20 the offender be electronically monitored. Electronic monitoring shall be based on a global
21 positioning system or other technology that identifies and records the offender's location at all
22 times.

23 5. In appropriate cases as determined by a risk assessment, the board may terminate the
24 supervision of an offender who is being supervised under this section when the offender is
25 sixty-five years of age or older.

26 6. In accordance with section 217.040, the board may adopt rules relating to supervision
27 and electronic monitoring of offenders under this section.

558.018. 1. The court shall sentence a person who has pleaded guilty to or has been
2 found guilty of the felony of forcible rape, statutory rape in the first degree, forcible sodomy,
3 statutory sodomy in the first degree or an attempt to commit any of the crimes designated in this
4 subsection to an extended term of imprisonment if it finds the defendant is a persistent sexual
5 offender.

6 2. A "persistent sexual offender" is one who has previously pleaded guilty to or has been
7 found guilty of the felony of forcible rape, rape, statutory rape in the first degree, forcible
8 sodomy, sodomy, statutory sodomy in the first degree or an attempt to commit any of the crimes
9 designated in this subsection.

10 3. The term of imprisonment for one found to be a persistent sexual offender shall be not
11 less than thirty years, which term shall be served without probation or parole.

12 4. The court shall sentence a person who has pleaded guilty to or has been found guilty
13 of the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory
14 sodomy in the first degree, or an attempt to commit any of the preceding crimes or child
15 molestation in the first degree when classified as a class B felony or sexual abuse when classified

16 as a class B felony to an extended term of imprisonment as provided for in this section if it finds
17 the defendant is a predatory sexual offender.

18 5. For purposes of this section, a "predatory sexual offender" is a person who:

19 (1) Has previously pleaded guilty to or has been found guilty of the felony of forcible
20 rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the
21 first degree, or an attempt to commit any of the preceding crimes or child molestation in the first
22 degree when classified as a class B felony or sexual abuse when classified as a class B felony;
23 or

24 (2) Has previously committed an act which would constitute an offense listed in
25 subsection 4 of this section, whether or not the act resulted in a conviction; or

26 (3) Has committed an act or acts against more than one victim which would constitute
27 an offense or offenses listed in subsection 4 of this section, whether or not the defendant was
28 charged with an additional offense or offenses as a result of such act or acts.

29 6. A person found to be a predatory sexual offender shall be imprisoned for life with
30 eligibility for parole, however subsection 4 of section 558.019 shall not apply to persons found
31 to be predatory sexual offenders for the purposes of determining the minimum prison term or the
32 length of sentence as defined or used in such subsection. Notwithstanding any other provision
33 of law, in no event shall a person found to be a predatory sexual offender receive a final
34 discharge from parole.

35 7. Notwithstanding any other provision of law, the court shall set the minimum time
36 required to be served before a predatory sexual offender is eligible for parole, conditional release
37 or other early release by the department of corrections. The minimum time to be served by a
38 person found to be a predatory sexual offender who:

39 (1) Has previously pleaded guilty to or has been found guilty of the felony of forcible
40 rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the
41 first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found
42 guilty of the felony of forcible rape, statutory rape in the first degree, forcible sodomy, statutory
43 sodomy in the first degree or an attempt to commit any of the preceding crimes shall be any
44 number of years but not less than thirty years;

45 (2) Has previously pleaded guilty to or has been found guilty of child molestation in the
46 first degree when classified as a class B felony or sexual abuse when classified as a class B
47 felony and pleads guilty to or is found guilty of attempting to commit or committing forcible
48 rape, statutory rape in the first degree, forcible sodomy or statutory sodomy in the first degree
49 shall be any number of years but not less than fifteen years;

50 (3) Has previously pleaded guilty to or has been found guilty of the felony of forcible
51 rape, rape, statutory rape in the first degree, forcible sodomy, sodomy, statutory sodomy in the

52 first degree, or an attempt to commit any of the preceding crimes and pleads guilty to or is found
53 guilty of child molestation in the first degree when classified as a class B felony or sexual abuse
54 when classified as a class B felony shall be any number of years but not less than fifteen years;

55 (4) Has previously pleaded guilty to or has been found guilty of child molestation in the
56 first degree when classified as a class B felony or sexual abuse when classified as a class B
57 felony, and pleads guilty to or is found guilty of child molestation in the first degree when
58 classified as a class B felony or sexual abuse when classified as a class B felony shall be any
59 number of years but not less than fifteen years;

60 (5) Is found to be a predatory sexual offender pursuant to subdivision (2) or (3) of
61 subsection 5 of this section shall be any number of years within the range to which the person
62 could have been sentenced pursuant to the applicable law if the person was not found to be a
63 predatory sexual offender.

64 8. Notwithstanding any provision of law to the contrary, the department of corrections,
65 or any division thereof, may not furlough an individual found to be and sentenced as a persistent
66 sexual offender or a predatory sexual offender.

67 **9. Nothing in this section shall prevent a court from imposing a greater sentence**
68 **of incarceration or if it is permitted or required as punishment for the specific crime or**
69 **crimes with which the defendant is charged.**

559.106. 1. Notwithstanding any statutory provision to the contrary, when a court grants
2 probation to an offender who has pleaded guilty to or has been found guilty of:

3 (1) An offense in section 566.030, 566.032, 566.060, 566.062, 566.067, 566.083,
4 566.100, 566.151, 566.212, 568.020, 568.080, or 568.090, RSMo, based on an act committed
5 on or after August 28, 2005, against a victim who was less than fourteen years old and the
6 offender is a prior sex offender as defined in subsection 2 of this section[.]; or

7 (2) **Any offense which requires board supervision for the duration of the offender's**
8 **natural life based on an act committed on or after August 28, 2006;**

9 the court shall order that the offender be supervised by the board of probation and parole for the
10 duration of his or her natural life.

11 2. For the purpose of this section, a prior sex offender is a person who has previously
12 pleaded guilty to or has been found guilty of an offense contained in chapter 566, RSMo, **or of**
13 **violating section 568.020, RSMo, when the offense involved the offender having sexual**
14 **intercourse or deviate sexual intercourse with the victim, or of violating subdivision (2) of**
15 **subsection 1 of section 568.045, RSMo.**

16 3. When probation for the duration of the offender's natural life has been ordered, a
17 mandatory condition of such probation is that the offender be electronically monitored.

18 Electronic monitoring shall be based on a global positioning system or other technology that
19 identifies and records the offender's location at all times.

20 4. In appropriate cases as determined by a risk assessment, the court may terminate the
21 probation of an offender who is being supervised under this section when the offender is
22 sixty-five years of age or older.

566.030. 1. A person commits the crime of forcible rape if such person has sexual
2 intercourse with another person by the use of forcible compulsion. Forcible compulsion includes
3 the use of a substance administered without a victim's knowledge or consent which renders the
4 victim physically or mentally impaired so as to be incapable of making an informed consent to
5 sexual intercourse.

6 2. **Except as provided in subsection 3 of this section** forcible rape or an attempt to
7 commit forcible rape is a felony for which the authorized term of imprisonment is life
8 imprisonment or a term of years not less than five years, unless in the course thereof the [actor]
9 **offender** inflicts serious physical injury or displays a deadly weapon or dangerous instrument
10 in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse
11 with more than one person, in which case the authorized term of imprisonment is life
12 imprisonment or a term of years not less than ten years.

13 3. **If at the time the offense was committed the offender was eighteen years of age**
14 **or older and the victim was less than twelve years of age then forcible rape or an attempt**
15 **to commit forcible rape is a felony for which the authorized term of imprisonment is life**
16 **imprisonment without eligibility for probation, parole, or release except by act of the**
17 **governor or a term of years not less than twenty-five years without eligibility for probation,**
18 **parole, or release except by act of the governor and not to exceed fifty years without**
19 **eligibility for probation, parole, or release except by act of the governor, and followed by**
20 **supervision by the board of probation and parole for the duration of the offender's natural**
21 **life as provided in section 217.735, RSMo, and section 559.106, RSMo. For a second or**
22 **subsequent offense, forcible rape or an attempt to commit forcible rape is a felony for**
23 **which the authorized term of imprisonment is life imprisonment without eligibility for**
24 **probation, parole, or release except by act of the governor.**

566.032. 1. A person commits the crime of statutory rape in the first degree if [he] **such**
2 **person** has sexual intercourse with another person who is less than fourteen years old.

3 2. **Except as provided in subsection 3 of this section** statutory rape in the first degree
4 is a felony for which the authorized term of imprisonment is life imprisonment or a term of years
5 not less than five years, unless in the course thereof the [actor] **offender** inflicts serious physical
6 injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner,
7 **or** subjects the victim to sexual intercourse or deviate sexual intercourse with more than one

8 person[, or the victim is less than twelve years of age] in which case the authorized term of
9 imprisonment is life imprisonment or a term of years not less than ten years.

10 **3. If at the time the offense was committed the offender was eighteen years of age**
11 **or older and the victim was less than twelve years of age then statutory rape in the first**
12 **degree, for a first offense, is a felony for which the authorized term of imprisonment is life**
13 **imprisonment without eligibility for probation, parole, or release except by act of the**
14 **governor or a term of years not less than twenty-five years without eligibility for probation,**
15 **parole, or release except by act of the governor and not to exceed fifty years without**
16 **eligibility for probation, parole, or release except by act of the governor, and followed by**
17 **supervision by the board of probation and parole for the duration of the offender's natural**
18 **life as provided in section 217.735, RSMo, and section 559.106, RSMo. For a second or**
19 **subsequent offense, statutory rape in the first degree is a felony for which the authorized**
20 **term of imprisonment is life imprisonment without eligibility for probation, parole, or**
21 **release except by act of the governor.**

566.034. 1. A person commits the crime of statutory rape in the second degree if [being]
2 **at the time the offense is committed such person is** twenty-one years of age or older[, he] **and**
3 **such person** has sexual intercourse with another person who **at the time the offense is**
4 **committed is at least twelve years of age but** less than seventeen years of age.

5 2. Statutory rape in the second degree is a class C felony.

566.040. 1. A person commits the crime of sexual assault if [he] **such person** has sexual
2 intercourse with another person knowing that he **or she** does so without that person's consent.

3 2. **Except as provided in subsection 3 of this section** sexual assault is a class C felony.

4 **3. If at the time the offense was committed the offender was eighteen years of age**
5 **or older and the victim was less than twelve years of age then sexual assault, for a first**
6 **offense, is a felony for which the authorized term of imprisonment is life imprisonment**
7 **without eligibility for probation, parole, or release except by act of the governor or a term**
8 **of years not less than twenty-five years without eligibility for probation, parole, or release**
9 **except by act of the governor and not to exceed fifty years without eligibility for probation,**
10 **parole, or release except by act of the governor, and followed by supervision by the board**
11 **of probation and parole for the duration of the offender's natural life as provided in**
12 **section 217.735, RSMo, and section 559.106, RSMo. For a second or subsequent offense**
13 **sexual assault is a felony for which the authorized term of imprisonment is life**
14 **imprisonment without eligibility for probation, parole, or release except by act of the**
15 **governor.**

566.060. 1. A person commits the crime of forcible sodomy if such person has deviate
2 sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion

3 includes the use of a substance administered without a victim's knowledge or consent which
4 renders the victim physically or mentally impaired so as to be incapable of making an informed
5 consent to sexual intercourse.

6 **2. Except as provided in subsection 3 of this section**

7 forcible sodomy or an attempt to commit forcible sodomy is a felony for which the authorized
8 term of imprisonment is life imprisonment or a term of years not less than five years, unless in
9 the course thereof the [actor] **offender** inflicts serious physical injury or displays a deadly
10 weapon or dangerous instrument in a threatening manner or subjects the victim to sexual
11 intercourse or deviate sexual intercourse with more than one person, in which case the authorized
12 term of imprisonment is life imprisonment or a term of years not less than ten years.

13 **3. If at the time the offense was committed the offender was eighteen years of age**
14 **or older and the victim was less than twelve years of age then forcible sodomy or an**
15 **attempt to commit forcible sodomy is a felony for which the authorized term of**
16 **imprisonment is life imprisonment without eligibility for probation, parole, or release**
17 **except by act of the governor or a term of years not less than twenty-five years without**
18 **eligibility for probation, parole, or release except by act of the governor and not to exceed**
19 **fifty years without eligibility for probation, parole, or release except by act of the governor,**
20 **and followed by supervision by the board of probation and parole for the duration of the**
21 **offender's natural life as provided in section 217.735, RSMo, and section 559.106, RSMo.**
22 **For a second or subsequent offense, forcible sodomy or an attempt to commit forcible**
23 **sodomy is a felony for which the authorized term of imprisonment is life imprisonment**
24 **without eligibility for probation, parole, or release except by act of the governor.**

566.062. 1. A person commits the crime of statutory sodomy in the first degree if [he]
2 **such person** has deviate sexual intercourse with another person who is less than fourteen years
3 old.

4 **2. Except as provided in subsection 3 of this section** statutory sodomy in the first
5 degree is a felony for which the authorized term of imprisonment is life imprisonment or a term
6 of years not less than five years, unless in the course thereof the [actor] **offender** inflicts serious
7 physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening
8 manner, **or** subjects the victim to sexual intercourse or deviate sexual intercourse with more than
9 one person[, or the victim is less than twelve years of age,] in which case the authorized term of
10 imprisonment is life imprisonment or a term of years not less than ten years.

11 **3. If at the time the offense was committed the offender was eighteen years of age**
12 **or older and the victim was less than twelve years of age then statutory sodomy in the first**
13 **degree, for a first offense, is a felony for which the authorized term of imprisonment is life**
14 **imprisonment without eligibility for probation, parole, or release except by act of the**

15 governor or a term of years not less than twenty-five years without eligibility for probation,
16 parole, or release except by act of the governor and not to exceed fifty years without
17 eligibility for probation, parole, or release except by act of the governor, and followed by
18 supervision by the board of probation and parole for the duration of the offender's natural
19 life as provided in section 217.735, RSMo, and section 559.106, RSMo. For a second or
20 subsequent offense, statutory sodomy in the first degree is a felony for which the
21 authorized term of imprisonment is life imprisonment without eligibility for probation,
22 parole, or release except by act of the governor.

566.064. 1. A person commits the crime of statutory sodomy in the second degree if
2 [being] **at the time the offense is committed such person is** twenty-one years of age or older[,
3 he] **and such person** has deviate sexual intercourse with another person who **at the time the**
4 **offense is committed is at least twelve years of age but** less than seventeen years of age.

5 2. Statutory sodomy in the second degree is a class C felony.

566.067. 1. A person commits the crime of child molestation in the first degree if [he
2 or she] **such person** subjects another person who is less than fourteen years of age to sexual
3 contact.

4 2. **Except as provided in subsection 3 of this section** child molestation in the first
5 degree is a class B felony unless the [actor] **offender** has previously been convicted of an offense
6 under this chapter or in the course thereof the [actor] **offender** inflicts serious physical injury,
7 displays a deadly weapon or deadly instrument in a threatening manner, or the offense is
8 committed as part of a ritual or ceremony, in which case the crime is a class A felony.

9 3. **If at the time the offense was committed the offender was eighteen years of age**
10 **or older and the victim was less than twelve years of age then child molestation in the first**
11 **degree, for a first offense, is a felony for which the authorized term of imprisonment is life**
12 **imprisonment without eligibility for probation, parole, or release except by act of the**
13 **governor or a term of years not less than twenty-five years without eligibility for probation,**
14 **parole, or release except by act of the governor and not to exceed fifty years without**
15 **eligibility for probation, parole, or release except by act of the governor, and followed by**
16 **supervision by the board of probation and parole for the duration of the offender's natural**
17 **life as provided in section 217.735, RSMo, and section 559.106, RSMo. For a second or**
18 **subsequent offense child molestation in the first degree is a felony for which the authorized**
19 **term of imprisonment is life imprisonment without eligibility for probation, parole, or**
20 **release except by act of the governor.**

566.068. 1. A person commits the crime of child molestation in the second degree if [he
2 or she] **such person** subjects another person who [is], **at the time the offense was committed**
3 **was at least twelve years of age but** less than seventeen years of age, to sexual contact.

4 2. Child molestation in the second degree is a class A misdemeanor unless the actor has
5 previously been convicted of an offense under this chapter or in the course thereof the actor
6 inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument
7 in a threatening manner, or the offense is committed as part of a ritual or ceremony, in which
8 case the crime is a class D felony.

 566.070. 1. A person commits the crime of deviate sexual assault if [he] **such person**
2 has deviate sexual intercourse with another person knowing that he **or she** does so without that
3 person's consent.

4 2. **Except as provided in subsection 3 of this section** deviate sexual assault is a class
5 C felony.

6 3. **If at the time the offense was committed the offender was eighteen years of age**
7 **or older and the victim was less than twelve years of age then deviate sexual assault, for a**
8 **first offense, is a felony for which the authorized term of imprisonment is life imprisonment**
9 **without eligibility for probation, parole, or release except by act of the governor or a term**
10 **of years not less than twenty-five years without eligibility for probation, parole, or release**
11 **except by act of the governor and not to exceed fifty years without eligibility for probation,**
12 **parole, or release except by act of the governor, and followed by supervision by the board**
13 **of probation and parole for the duration of the offender's natural life as provided in**
14 **section 217.735, RSMo, and section 559.106, RSMo. For a second or subsequent offense**
15 **deviate sexual assault is a felony for which the authorized term of imprisonment is life**
16 **imprisonment without eligibility for probation, parole, or release except by act of the**
17 **governor.**

 566.090. 1. A person commits the crime of sexual misconduct in the first degree if [he]
2 **such person** has deviate sexual intercourse with another person of the same sex or he purposely
3 subjects another person to sexual contact without that person's consent.

4 2. **Except as provided in subsection 3 of this section** sexual misconduct in the first
5 degree is a class A misdemeanor unless the [actor] **offender** has previously been convicted of
6 an offense under this chapter or unless in the course thereof the [actor] **offender** displays a
7 deadly weapon in a threatening manner or the offense is committed as a part of a ritual or
8 ceremony, in which case it is a class D felony.

9 3. **If at the time the offense was committed the offender was eighteen years of age**
10 **or older and the victim was less than twelve years of age then sexual misconduct in the first**
11 **degree, for a first offense, is a felony for which the authorized term of imprisonment is life**
12 **imprisonment without eligibility for probation, parole, or release except by act of the**
13 **governor or a term of years not less than twenty-five years without eligibility for probation,**
14 **parole, or release except by act of the governor and not to exceed fifty years without**

15 **eligibility for probation, parole, or release except by act of the governor, and followed by**
16 **supervision by the board of probation and parole for the duration of the offender's natural**
17 **life as provided in section 217.735, RSMo, and section 559.106, RSMo. For a second or**
18 **subsequent offense sexual misconduct in the first degree is a felony for which the**
19 **authorized term of imprisonment is life imprisonment without eligibility for probation,**
20 **parole, or release except by act of the governor.**

566.100. 1. A person commits the crime of sexual abuse if [he] **such person** subjects
2 another person to sexual contact by the use of forcible compulsion.

3 2. **Except as provided in subsection 3 of this section** sexual abuse is a class C felony
4 unless in the course thereof the [actor] **offender** inflicts serious physical injury or displays a
5 deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual
6 contact with more than one person or the victim is **at least twelve years of age but** less than
7 fourteen years of age, in which case the crime is a class B felony.

8 3. **If at the time the offense was committed the offender was eighteen years of age**
9 **or older and the victim was less than twelve years of age then sexual abuse, for a first**
10 **offense, is a felony for which the authorized term of imprisonment is life imprisonment**
11 **without eligibility for probation, parole, or release except by act of the governor or a term**
12 **of years not less than twenty-five years without eligibility for probation, parole, or release**
13 **except by act of the governor and not to exceed fifty years without eligibility for probation,**
14 **parole, or release except by act of the governor, and followed by supervision by the board**
15 **of probation and parole for the duration of the offender's natural life as provided in**
16 **section 217.735, RSMo, and section 559.106, RSMo. For a second or subsequent offense**
17 **sexual abuse is a felony for which the authorized term of imprisonment is life**
18 **imprisonment without eligibility for probation, parole, or release except by act of the**
19 **governor.**

568.045. 1. A person commits the crime of endangering the welfare of a child in the first
2 degree if:

3 (1) The person knowingly acts in a manner that creates a substantial risk to the life, body,
4 or health of a child less than seventeen years old; or

5 (2) The person knowingly engages in sexual conduct with a person under the age of
6 seventeen years over whom the person is a parent, guardian, or otherwise charged with the care
7 and custody;

8 (3) The person knowingly encourages, aids or causes a child less than seventeen years
9 of age to engage in any conduct which violates the provisions of chapter 195, RSMo;

10 (4) Such person enlists the aid, either through payment or coercion, of a person less than
11 seventeen years of age to unlawfully manufacture, compound, produce, prepare, sell, transport,

12 test or analyze amphetamine or methamphetamine or any of their analogues, or to obtain any
13 material used to manufacture, compound, produce, prepare, test or analyze amphetamine or
14 methamphetamine or any of their analogues; or

15 (5) Such person, in the presence of a person less than seventeen years of age or in a
16 residence where a person less than seventeen years of age resides, unlawfully manufactures, or
17 attempts to manufacture compounds, produces, prepares, sells, transports, tests or analyzes
18 amphetamine or methamphetamine or any of their analogues.

19 **2. Except as provided in subsection 3 of this section** endangering the welfare of a child
20 in the first degree is a class C felony unless the offense is committed as part of a ritual or
21 ceremony, or except on a second or subsequent offense, in which case the crime is a class B
22 felony.

23 **3. If at the time the offense was committed the offender was eighteen years of age**
24 **or older and the victim was less than twelve years of age and the offense was committed**
25 **under subdivision (2) of subsection 1 of this section, then endangering the welfare of a child**
26 **in the first degree, for a first offense, is a felony for which the authorized term of**
27 **imprisonment is life imprisonment without eligibility for probation, parole, or release**
28 **except by act of the governor or a term of years not less than twenty-five years without**
29 **eligibility for probation, parole, or release except by act of the governor and not to exceed**
30 **fifty years without eligibility for probation, parole, or release except by act of the governor,**
31 **and followed by supervision by the board of probation and parole for the duration of the**
32 **offender's natural life as provided in section 217.735, RSMo, and section 559.106, RSMo.**
33 **For a second or subsequent offense endangering the welfare of a child in the first degree**
34 **is a felony for which the authorized term of imprisonment is life imprisonment without**
35 **eligibility for probation, parole, or release except by act of the governor.**

2 **569.092. 1. A person commits the crime of tampering with electronic monitoring**
3 **equipment if such person alters, tampers with, damages, or destroys any electronic**
4 **monitoring equipment that is being used by the board of probation and parole, the court,**
5 **or any law enforcement agency or juvenile office to monitor a convicted offender or**
6 **adjudicated juvenile offender, unless such person is the owner of the equipment, or an**
7 **agent of the owner, performing ordinary maintenance and repairs.**

7 **2. Tampering with electronic monitoring equipment is a class C felony.**

2 **575.157. 1. A person commits the crime of aiding a sexual offender if such person**
3 **knows or reasonably should have known that another person is a convicted sexual offender**
4 **who is required to register as a sexual offender and has reason to believe that such sexual**
5 **offender is not complying, or has not complied with the requirements of sections 589.400**
6 **to 589.425, RSMo, and who, with the intent to assist the sexual offender in eluding a law**

6 enforcement agency that is seeking to find the sexual offender to question the offender
 7 about, or to arrest the offender for, his or her noncompliance with the requirements of
 8 sections 589.400 to 589.425, RSMo:

9 (1) Withholds information from or does not notify the law enforcement agency
 10 about the sexual offender's noncompliance with the requirements of sections 589.400 to
 11 589.425, RSMo, and if known the whereabouts of the sexual offender;

12 (2) Harbors or attempts to harbor or assists another person in harboring or
 13 attempting to conceal the sexual offender;

14 (3) Conceals or attempts to conceal or assists another person in concealing or
 15 attempting to conceal the sexual offender; or

16 (4) Provides information to the law enforcement agency regarding the sexual
 17 offender which the person knows to be false information.

18 2. Aiding a sexual offender is a class D felony.

19 3. The provisions of this section do not apply if the sexual offender is incarcerated
 20 in or is in the custody of a state correctional facility, a private correctional facility, a local
 21 jail, or a federal correctional facility.

589.407. 1. Any registration pursuant to sections 589.400 to 589.425 shall consist of
 2 completion of an offender registration form developed by the Missouri state highway patrol.
 3 Such form shall include, but is not limited to the following:

4 (1) A statement in writing signed by the person, giving the name, **age, race, sex, date**
 5 **of birth, height, weight, hair and eye color**, address **of any permanent residence and address**
 6 **of any current temporary residence within the state or out of state, including a rural route**
 7 **address and post office box**, Social Security number and phone number of the person, **vehicle**
 8 **make, model, color, and license tag number of any vehicle owned or driven by such person**,
 9 the **date and** place of employment of such person, enrollment within any institutions of higher
 10 education, the crime which requires registration, whether the person was sentenced as a
 11 persistent or predatory offender pursuant to section 558.018, RSMo, the date, place, and a brief
 12 description of such crime, the date and place of the conviction or plea regarding such crime, the
 13 age and gender of the victim at the time of the offense and whether the person successfully
 14 completed the Missouri sexual offender program pursuant to section 589.040, if applicable; and

15 (2) The fingerprints and a photograph of the person.

16 2. A post office box shall not be provided in lieu of a physical residential address.

17 3. If the person is enrolled, employed, or carrying on a vocation at an institution
 18 of higher education in this state, such person shall also include on the form the name,
 19 address, and county of each institution, including each campus attended and such person's
 20 enrollment or employment status.

21 **4. If the person's place of residence is a motor vehicle, trailer, mobile home, or**
22 **manufactured home, such person shall also provide the vehicle identification number, the**
23 **license tag number, the registration number, and a description, including color scheme, of**
24 **the motor vehicle, trailer, mobile home, or manufactured home.**

25 **5. If the person's place of residence is a vessel, live-aboard vessel, or houseboat, the**
26 **person shall also provide the hull identification number, the manufacturer's serial number,**
27 **the name of the vessel, live-aboard vessel, or houseboat, the registration number and a**
28 **description, including color scheme of the vessel, live-aboard vessel, or houseboat.**

 589.414. 1. If any person required by sections 589.400 to 589.425 to register changes
2 residence or address within the same county as such person's previous address, the person shall
3 inform the chief law enforcement official in writing within ten days of such new address and
4 phone number, if the phone number is also changed.

5 2. If any person required by sections 589.400 to 589.425 to register changes such
6 person's residence or address to a different county, the person shall appear in person and shall
7 inform both the chief law enforcement official with whom the person last registered and the chief
8 law enforcement official of the county having jurisdiction over the new residence or address in
9 writing within ten days of such new address and phone number, if the phone number is also
10 changed. If any person required by sections 589.400 to 589.425 to register changes their state
11 of residence, the person shall appear in person and shall inform both the chief law enforcement
12 official with whom the person was last registered and the chief law enforcement official of the
13 area in the new state having jurisdiction over the new residence or address within ten days of
14 such new address. Whenever a registrant changes residence, the chief law enforcement official
15 of the county where the person was previously registered shall promptly inform the Missouri
16 state highway patrol of the change. When the registrant is changing the residence to a new state,
17 the Missouri state highway patrol shall promptly inform the responsible official in the new state
18 of residence.

19 3. Any person required by sections 589.400 to 589.425 to register who changes his or
20 her enrollment or employment status with any institution of higher education within this state,
21 by either beginning or ending such enrollment or employment, shall inform the chief law
22 enforcement officer of such change within seven days after such change is made.

23 4. Any person required by sections 589.400 to 589.425 to register who officially changes
24 such person's name shall inform the chief law enforcement officer of such name change within
25 seven days after such change is made.

26 5. In addition to the requirements of subsections 1 and 2 of this section, the following
27 offenders shall report in person to the county law enforcement agency every ninety days to verify
28 the information contained in their statement made pursuant to section 589.407:

29 (1) Any offender registered as a predatory or persistent sexual offender under the
30 definitions found in section 558.018, RSMo;

31 (2) Any offender who is registered for a crime where the victim was less than eighteen
32 years of age at the time of the offense; and

33 (3) Any offender who has pled guilty or been found guilty pursuant to section 589.425
34 of failing to register or submitting false information when registering.

35 6. In addition to the requirements of subsections 1 and 2 of this section, all registrants
36 shall report annually in person in the month of their birth to the county law enforcement agency
37 to verify the information contained in their statement made pursuant to section 589.407.

38 7. In addition to the requirements of subsections 1 and 2 of this section, all Missouri
39 registrants who work or attend school or training on a full-time or part-time basis in any other
40 state shall be required to report in person to the chief law enforcement officer in the area of the
41 state where they work or attend school or training and register in that state. "Part-time" in this
42 subsection means for more than fourteen days in any twelve-month period.

43 **8. Any updates or changes in information submitted by registrants required to**
44 **report under subsections 5 and 6 of this section to the county law enforcement agency shall**
45 **be forwarded to the Missouri state highway patrol by the chief law enforcement official,**
46 **within three days. The patrol shall enter the changes in information into the Missouri**
47 **uniform law enforcement system (MULES) where it is available to members of the criminal**
48 **justice system, and other entities as provided by law, upon inquiry.**

589.425. 1. Any person who is required to register pursuant to sections 589.400 to
2 589.425 and does not meet all requirements of sections 589.400 to 589.425 is guilty of a class
3 [A misdemeanor] **D felony**, unless the person has been convicted pursuant to chapter 566 of an
4 unclassified felony, class A felony, class B felony, or any felony involving a child under the age
5 of fourteen, in which case the person is guilty of a class [D] **C felony**.

6 2. Any person who commits a second or subsequent violation of subsection 1 of this
7 section is guilty of a class [D] **C felony**, unless the person has been convicted pursuant to chapter
8 566 of an unclassified felony, class A felony, class B felony, or any felony involving a child
9 under the age of fourteen, in which case the person is guilty of a class [C] **B felony**.

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