

SECOND REGULAR SESSION

HOUSE BILL NO. 1413

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FALLERT (Sponsor), FRAME, MEADOWS, HARRIS (110),
ROORDA AND CASEY (Co-sponsors).

Pre-filed December 12, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3559L.011

AN ACT

To repeal section 566.147, RSMo, and to enact in lieu thereof one new section relating to certain sexual offenders residing within one thousand feet of certain schools or child care facilities, with a penalty provision.

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

Section A. Section 566.147, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.147, to read as follows:

566.147. 1. Any person who, since July 1, 1979, has been or hereafter has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of violating any of the provisions of this chapter or the provisions of subsection 2 of section 568.020, RSMo, incest; section 568.045, RSMo, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, RSMo, use of a child in a sexual performance; section 568.090, RSMo, promoting a sexual performance by a child; section 573.023, RSMo, sexual exploitation of a minor; section 573.025, RSMo, promoting child pornography in the first degree; section 573.035, RSMo, promoting child pornography in the second degree; section 573.037, RSMo, possession of child pornography, or section 573.040, RSMo, furnishing pornographic material to minors; **or any offense committed in another state, or any federal offense, or any military offense which, if committed in this state, would be a violation of any offense listed in this subsection;** shall not reside within one thousand feet of any public school as defined in section 160.011, RSMo, or any private school giving instruction in a grade or grades not higher than the

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.

14 twelfth grade, or child-care facility as defined in section 210.201, RSMo, which is in existence
15 at the time the individual begins to reside at the location.

16 2. If such person has already established a residence and a public school, a private
17 school, or child-care facility is subsequently built or placed within one thousand feet of such
18 person's residence, then such person shall, within one week of the opening of such public school,
19 private school, or child-care facility, notify the county sheriff where such public school, private
20 school, or child-care facility is located that he or she is now residing within one thousand feet
21 of such public school, private school, or child-care facility and shall provide verifiable proof to
22 the sheriff that he or she resided there prior to the opening of such public school, private school,
23 or child-care facility.

24 3. For purposes of this section, "resides" means sleeps in a residence, which may include
25 more than one location and may be mobile or transitory.

26 4. Violation of the provisions of subsection 1 of this section is a class D felony except
27 that the second or any subsequent violation is a class B felony. Violation of the provisions of
28 subsection 2 of this section is a class A misdemeanor except that the second or subsequent
29 violation is a class D felony.

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