

SECOND REGULAR SESSION

HOUSE BILL NO. 1724

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DAVIS (Sponsor), McGHEE, FUNDERBURK, RUESTMAN, KRAUS, EMERY, SANDER, NIEVES, BIVINS, MOORE, FAITH, WELLS, THOMSON, WALLACE, WOOD, COX, SCHARNHORST, LEMBKE, JONES (89), MEINERS, CASEY, WALTON, SMITH (14), SMITH (150) AND MAY (Co-sponsors).

Read 1st time January 17, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4015L.01I

AN ACT

To repeal sections 211.425, 589.407, and 589.414, RSMo, and to enact in lieu thereof three new sections relating to sexual offender registration, with a penalty provision.

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

Section A. Sections 211.425, 589.407, and 589.414, RSMo, are repealed and three new
2 sections enacted in lieu thereof, to be known as sections 211.425, 589.407, and 589.414, to read
3 as follows:

211.425. 1. Any person who has been adjudicated a delinquent by a juvenile court for
2 committing or attempting to commit a sex-related offense which if committed by an adult would
3 be considered a felony offense pursuant to chapter 566, RSMo, including, but not limited to,
4 rape, forcible sodomy, child molestation and sexual abuse, shall be considered a juvenile sex
5 offender and shall be required to register as a juvenile sex offender by complying with the
6 registration requirements provided for in this section. This requirement shall also apply to any
7 person who is or has been adjudicated a juvenile delinquent in any other state or federal
8 jurisdiction for committing or attempting to commit offenses which would be proscribed herein.

9 2. Any state agency having supervision over a juvenile required to register as a juvenile
10 sex offender or any court having jurisdiction over a juvenile required to register as a juvenile sex
11 offender, or any person required to register as a juvenile sex offender, shall, within ten days of
12 the juvenile offender moving into any county of this state, register with the juvenile office of 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.

13 county. If such juvenile offender changes residence or address, the state agency, court or person
14 shall inform the juvenile office within ten days of the new residence or address and shall also be
15 required to register with the juvenile office of any new county of residence. **If such juvenile**
16 **offender changes his or her electronic mail address or addresses such juvenile offender**
17 **shall inform the juvenile office in writing within ten days of such new address or addresses.**
18 Registration shall be accomplished by completing a registration form similar to the form
19 provided for in section 589.407, RSMo. Such form shall include, but is not limited to, the
20 following:

21 (1) A statement in writing signed by the juvenile, giving the juvenile's name, address,
22 **all electronic mail addresses**, Social Security number, phone number, school in which enrolled,
23 place of employment, offense which requires registration, including the date, place, and a brief
24 description of such offense, date and place of adjudication regarding such offense, and age and
25 gender of the victim at the time of the offense; and

26 (2) The fingerprints and a photograph of the juvenile.

27 3. Juvenile offices shall maintain the registration forms of those juvenile offenders in
28 their jurisdictions who register as required by this section. Information contained on the
29 registration forms shall be kept confidential and may be released by juvenile offices to only those
30 persons and agencies who are authorized to receive information from juvenile court records as
31 provided by law, including, but not limited to, those specified in section 211.321. State agencies
32 having custody of juveniles who fall within the registration requirements of this section shall
33 notify the appropriate juvenile offices when such juvenile offenders are being transferred to a
34 location falling within the jurisdiction of such juvenile offices.

35 4. Any juvenile who is required to register pursuant to this section but fails to do so or
36 who provides false information on the registration form is subject to disposition pursuant to this
37 chapter. Any person seventeen years of age or over who commits such violation is guilty of a
38 class A misdemeanor as provided for in section 211.431.

39 5. Any juvenile to whom the registration requirement of this section applies shall be
40 informed by the official in charge of the juvenile's custody, upon the juvenile's discharge or
41 release from such custody, of the requirement to register pursuant to this section. Such official
42 shall obtain the address where such juvenile expects to register upon being discharged or released
43 and shall report the juvenile's name and address to the juvenile office where the juvenile will be
44 required to register. This requirement to register upon discharge or release from custody does
45 not apply in situations where the juvenile is temporarily released under guard or direct
46 supervision from a detention facility or similar custodial facility.

47 6. The requirement to register as a juvenile sex offender shall terminate upon the juvenile
48 offender reaching age twenty-one, unless such juvenile offender is required to register as an adult
49 offender pursuant to section 589.400, RSMo.

 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, address, Social
5 Security number and phone number of the person, **all electronic mail addresses**, the license
6 plate number and vehicle description, including the year, make, model, and color of each vehicle
7 owned or operated by the offender, the place of employment of such person, enrollment within
8 any institutions of higher education, the crime which requires registration, whether the person
9 was sentenced as a persistent or predatory offender pursuant to section 558.018, RSMo, the date,
10 place, and a brief description of such crime, the date and place of the conviction or plea regarding
11 such crime, the age and gender of the victim at the time of the offense and whether the person
12 successfully completed the Missouri sexual offender program pursuant to section 589.040, if
13 applicable; and

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

15 2. The offender shall provide positive identification and documentation to substantiate
16 the accuracy of the information completed on the offender registration form, including but not
17 limited to the following:

18 (1) A photocopy of a valid driver's license or nondriver's identification card;

19 (2) A document verifying proof of the offender's residency; and

20 (3) A photocopy of the vehicle registration for each of the offender's vehicles.

 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 or city not within a county as such person's previous
3 address, the person shall inform the chief law enforcement official in writing within ten days of
4 such new address and 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 or city not within a county having jurisdiction over the
9 new residence or address in writing within ten days of such new address and phone number, if
10 the phone number is also changed. If any person required by sections 589.400 to 589.425 to
11 register changes their state of residence, the person shall appear in person and shall inform both
12 the chief law enforcement official with whom the person was last registered and the chief law
13 enforcement official of the area in the new state having jurisdiction over the new residence or

14 address within ten days of such new address. Whenever a registrant changes residence, the chief
15 law enforcement official of the county or city not within a county where the person was
16 previously registered shall promptly inform the Missouri state highway patrol of the change.
17 When the registrant is changing the residence to a new state, the Missouri state highway patrol
18 shall promptly inform the responsible official in the new state of residence.

19 **3. Any person required by sections 589.400 to 589.425 to register who changes his**
20 **or her electronic mail address or addresses shall inform the chief law enforcement official**
21 **where such person resides in writing within ten days of such new address or addresses and**
22 **the chief law enforcement official of that county or city not within a county shall promptly**
23 **inform the Missouri state highway patrol of the change.**

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

28 [4.] **5.** Any person required by sections 589.400 to 589.425 to register who officially
29 changes such person's name shall inform the chief law enforcement officer of such name change
30 within seven days after such change is made.

31 [5.] **6.** In addition to the requirements of subsections 1 and 2 of this section, the
32 following offenders shall report in person to the chief law enforcement agency every ninety days
33 to verify the information contained in their statement made pursuant to section 589.407:

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

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

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

40 [6.] **7.** In addition to the requirements of subsections 1 and 2 of this section, all
41 registrants shall report semiannually in person in the month of their birth and six months
42 thereafter to the chief law enforcement agency to verify the information contained in their
43 statement made pursuant to section 589.407. All registrants shall provide an updated photograph
44 of himself or herself in the month of his or her birth to the chief law enforcement agency. The
45 photograph must depict a clear likeness of the registrant or the registrant shall be in violation of
46 this section.

47 [7.] **8.** In addition to the requirements of subsections 1 and 2 of this section, all Missouri
48 registrants who work or attend school or training on a full-time or part-time basis in any other
49 state shall be required to report in person to the chief law enforcement officer in the area of the

50 state where they work or attend school or training and register in that state. "Part-time" in this
51 subsection means for more than fourteen days in any twelve-month period.

✓