

SECOND REGULAR SESSION

HOUSE BILL NO. 1814

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FLOOK (Sponsor), SCHNEIDER, GRILL, SILVEY,
DOUGHERTY, RUESTMAN, KRAUS, YATES AND DAVIS (Co-sponsors).

Read 1st time January 24, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4490L.01I

AN ACT

To repeal sections 566.032 and 566.062, RSMo, and to enact in lieu thereof two new sections relating to the penalty for certain sexual offenses, with penalty provisions.

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

Section A. Sections 566.032 and 566.062, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 566.032 and 566.062, to read as follows:

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. Statutory rape in the first degree or an attempt to commit statutory rape in the first
4 degree is a felony for which the authorized term of imprisonment is life imprisonment or a term
5 of years not less than five years, unless in the course thereof the actor inflicts serious physical
6 injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner,
7 subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person,
8 or the victim is less than twelve years of age in which case the authorized term of imprisonment
9 is life imprisonment or a term of years not less than ten years. **In addition no person convicted**
10 **under this section when the victim is less than twelve years of age shall be eligible for**
11 **parole, probation, conditional release, or suspended imposition or execution of sentence for**
12 **a period of five calendar years.**

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.

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. Statutory sodomy in the first degree or an attempt to commit statutory sodomy in the
5 first degree is a felony for which the authorized term of imprisonment is life imprisonment or
6 a term of years not less than five years, unless in the course thereof the actor inflicts serious
7 physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening
8 manner, 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. **In addition no**
11 **person convicted under this section when the victim is less than twelve years of age shall**
12 **be eligible for parole, probation, conditional release, or suspended imposition or execution**
13 **of sentence for a period of five calendar years.**

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