

SECOND REGULAR SESSION

HOUSE BILL NO. 1902

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GUERNSEY.

4840L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 565, RSMo, by adding thereto one new section relating to endangering a department of mental health employee, a visitor or other person at a secure facility, or another offender, with penalty provisions.

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

Section A. Chapter 565, RSMo, is amended by adding thereto one new section, to be known as section 565.087, to read as follows:

565.087. 1. An offender commits the crime of endangering a department of mental health employee, a visitor or other person at a secure facility, or another offender if he or she attempts to cause or knowingly causes such person to come into contact with blood, seminal fluid, urine, feces, or saliva.

2. For the purposes of this section, the following terms mean:

(1) "Department of mental health employee", a person who is an employee of the department of mental health, an employee or contracted employee of a subcontractor of the department of mental health, or an employee or contracted employee of a subcontractor of an entity responsible for confining offenders as authorized by section 632.495;

(2) "Offender", persons ordered to the department of mental health after a determination by the court that such persons may meet the definition of a sexually violent predator, persons ordered to the department of mental health after a finding of probable cause under section 632.489, and persons committed for control, care and treatment by the department of mental health under sections 632.480 to 632.513;

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.

16 (3) "Secure facility", a facility operated by the department of mental health or an
17 entity responsible for confining offenders as authorized by section 632.495.

18 3. Endangering a department of mental health employee, a visitor or other person
19 at a secure facility, or another offender is a class D felony unless the substance is
20 unidentified in which case it is a class A misdemeanor. If an offender is knowingly infected
21 with the human immunodeficiency virus (HIV), hepatitis B or hepatitis C and exposes
22 another person to HIV or hepatitis B or hepatitis C by committing the crime of
23 endangering a department of mental health employee, a visitor or other person at a secure
24 facility, or another offender, it is a class C felony.

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