

fw
ORIGINAL



5321S12.01F

HOUSE/SENATE

AMENDMENT NO.

Offered by

of

1 AMEND ~~SSSSS~~ Bill No. 699, Page 1, Section A,
2 Line 4, by inserting after all of said line the following:
3 "43.650. 1. The patrol shall, subject to appropriation,
4 maintain a [web page] website on the internet which shall be open
5 to the public and shall include a registered sexual offender
6 search capability.
7 2. Except as provided in subsections 5, 6, and 7 of this
8 section, the registered sexual offender search shall make it
9 possible for any person using the internet to search for and find
10 the information specified in subsection 4 of this section, if
11 known, on offenders registered in this state pursuant to sections
12 589.400 to 589.425[, except that only persons who have been
13 convicted of, found guilty of or plead guilty to committing,
14 attempting to commit, or conspiring to commit sexual offenses
15 shall be included on this website].
16 3. The registered sexual offender search shall include the
17 capability to search for sexual offenders by name, zip code, and
18 by typing in an address and specifying a search within a certain
19 number of miles radius from that address.
20 4. Only the information listed in this subsection shall be
21 provided to the public in the registered sexual offender search:
22 (1) The name and any known aliases of the offender;
23 (2) The date of birth and any known alias dates of birth of
24 the offender;
25 (3) A physical description of the offender;
26 (4) The residence, temporary, work, and school addresses of
27 the offender, including the street address, city, county, state,
28 and zip code;
29 (5) [Any photographs of the offender] A current photograph

Action Taken _____ Date _____

1 of the individual, which shall be taken by the registering
2 official;

3 (6) [A physical description of the offender's vehicles,
4 including the year, make, model, color, and license plate number;

5 (7)] The nature and dates of all offenses qualifying the
6 offender to register;

7 [(8)] (7) The date on which the offender was released from
8 the department of mental health, prison, or jail, or placed on
9 parole, supervised release, or probation for the offenses
10 qualifying the offender to register;

11 [(9)] (8) Compliance status of the offender with the
12 provisions of section 589.400 to 589.425; and

13 [(10)] (9) Any online identifiers, as defined in section
14 43.651, used by the person. Such online identifiers shall not be
15 included in the general profile of an offender on the webpage and
16 shall only be available to a member of the public by a search
17 using the specific online identifier to determine if a match
18 exists with a registered offender; and

19 (10) The status of the offender's term of incarceration,
20 probation, or parole.

21 5. Notwithstanding the requirement to register under the
22 provisions of sections 589.400 to 589.425, offenders committing
23 felonious restraint of a nonsexual nature when the victim was
24 under the age of eighteen under section 565.120 or kidnapping of
25 a nonsexual nature when the victim was under the age of eighteen
26 under section 565.110 are exempt from the public notification
27 requirements of this section if:

28 (1) There is no other offense for which the offender is
29 required to register;

30 (2) The offender is not a repeat offender as a result of
31 multiple adjudications for the offenses listed in this
32 subsection; and

33 (3) No sexual conduct, attempted sexual conduct, or
34 conspiracy to commit sexual conduct occurred during the offense.

35 6. Witnesses afforded federal protection who are required
36 to register under the provisions of sections 589.400 to 589.425
37 shall be excluded from the website under 18 U.S.C. Section 3521

1 et seq., while under active federal protection.

2 7. Juveniles required to register under section 589.400
3 shall be excluded from the website."; and

4 Further amend said bill, Page 15, Section, 559.115,
5 Line 82, by inserting after all of said line the following:

6 "589.400. 1. Sections 589.400 to 589.425 shall apply to:

7 (1) Any person who, since July 1, 1979, has been or is
8 hereafter convicted of, been found guilty of, or pled guilty or
9 nolo contendere to committing, attempting to commit, or
10 conspiring to commit a felony offense of chapter 566, including
11 sexual trafficking of a child and sexual trafficking of a child
12 under the age of twelve, or any offense of chapter 566 where the
13 victim is a minor, unless such person is [exempted] exempt from
14 registering under subsection 6, 8, or 10 of this section; or

15 (2) Any person who, since July 1, 1979, has been or is
16 hereafter convicted of, been found guilty of, or pled guilty or
17 nolo contendere to committing, attempting to commit, or
18 conspiring to commit one or more of the following offenses:
19 kidnapping when the victim was a child and the defendant was not
20 a parent or guardian of the child; abuse of a child under section
21 568.060 when such abuse is sexual in nature; felonious restraint
22 when the victim was a child and the defendant is not a parent or
23 guardian of the child; sexual contact or sexual intercourse with
24 a resident of a nursing home, under section 565.200; endangering
25 the welfare of a child under section 568.045 when the
26 endangerment is sexual in nature; genital mutilation of a female
27 child, under section 568.065; promoting prostitution in the first
28 degree; promoting prostitution in the second degree; promoting
29 prostitution in the third degree; sexual exploitation of a minor;
30 promoting child pornography in the first degree; promoting child
31 pornography in the second degree; possession of child
32 pornography; furnishing pornographic material to minors; public
33 display of explicit sexual material; coercing acceptance of
34 obscene material; promoting obscenity in the first degree;
35 promoting pornography for minors or obscenity in the second
36 degree; incest; use of a child in a sexual performance; or
37 promoting sexual performance by a child; or

1 (3) Any person who, since July 1, 1979, has been committed
2 to the department of mental health as a criminal sexual
3 psychopath; or

4 (4) Any person who, since July 1, 1979, has been found not
5 guilty as a result of mental disease or defect of any offense
6 listed in subdivision (1) or (2) of this subsection; or

7 (5) Any juvenile certified as an adult and transferred to a
8 court of general jurisdiction who has been convicted of, found
9 guilty of, or has pleaded guilty or nolo contendere to
10 committing, attempting to commit, or conspiring to commit a
11 felony under chapter 566 which is equal to or more severe than
12 aggravated sexual abuse under 18 U.S.C. Section 2241, which shall
13 include any attempt or conspiracy to commit such offense; or

14 (6) Any juvenile fourteen years of age or older at the time
15 of the offense who has been adjudicated for an offense which is
16 equal to or more severe than aggravated sexual abuse under 18
17 U.S.C. Section 2241, which shall include any attempt or
18 conspiracy to commit such offense; or

19 (7) Any person who is a resident of this state who has,
20 since July 1, 1979, or is hereafter convicted of, been found
21 guilty of, or pled guilty to or nolo contendere in any other
22 state, territory, or the District of Columbia, or foreign
23 country, or under federal, tribal, or military jurisdiction to
24 committing, attempting to commit, or conspiring to commit an
25 offense which, if committed in this state, would be a violation
26 of chapter 566, or a felony violation of any offense listed in
27 subdivision (2) of this subsection or has been or is required to
28 register in another state, territory, the District of Columbia,
29 or foreign country, or has been or is required to register under
30 tribal, federal, or military law; or

31 (8) Any person who has been or is required to register in
32 another state, territory, the District of Columbia, or foreign
33 country, or has been or is required to register under tribal,
34 federal, or military law and who works or attends an educational
35 institution, whether public or private in nature, including any
36 secondary school, trade school, professional school, or
37 institution of higher education on a full-time or on a part-time

1 basis or has a temporary residence in Missouri. "Part-time" in
2 this subdivision means for more than seven days in any
3 twelve-month period.

4 2. Any person to whom sections 589.400 to 589.425 apply
5 shall, within [three] five business days of [conviction]
6 adjudication, release from incarceration, or placement upon
7 probation, register with the chief law enforcement official of
8 the county or city not within a county in which such person
9 resides unless such person has already registered in that county
10 for the same offense. For any juvenile described in subdivision
11 (6) of subsection 1 of this section, within five business days of
12 adjudication or release from commitment to the division of youth
13 services, the department of mental health, or other placement, he
14 or she shall register with the chief law enforcement official of
15 the county or city not within a county in which such person
16 resides unless such person has already registered in that county
17 for the same offense. Any person to whom sections 589.400 to
18 589.425 apply if not currently registered in their county of
19 residence shall register with the chief law enforcement official
20 of such county or city not within a county within [three] five
21 business days. The chief law enforcement official shall forward
22 a copy of the registration form required by section 589.407 to a
23 city, town, village, or campus law enforcement agency located
24 within the county of the chief law enforcement official[, if so
25 requested. Such request may ask the chief law enforcement
26 official to forward copies of all registration forms filed with
27 such official. The chief law enforcement official may forward a
28 copy of such registration form to any city, town, village, or
29 campus law enforcement agency, if so requested].

30 3. The registration requirements of sections 589.400
31 through 589.425 are lifetime registration requirements unless:

32 (1) All offenses requiring registration are reversed,
33 vacated or set aside;

34 (2) The registrant is pardoned of the offenses requiring
35 registration in the state of Missouri, or if not in Missouri,
36 pardoned in another state, territory, the District of Columbia,
37 or foreign country and the pardon explicitly states that the

1 person is relieved of his or her duty to register as a sexual
2 offender;

3 (3) The registrant is exempt or is no longer required to
4 register [and his or her name shall be removed from the registry]
5 under the provisions of subsection 6, 8, or 10 this section; or

6 (4) The [registrant may petition the court for removal or
7 exemption from the registry under subsection 7 or 8 of this
8 section and the] court orders the removal [or exemption] of such
9 person from the registry under subsection 7, 9, or 10 of this
10 section or section 589.401.

11 4. For processing an initial sex offender registration the
12 chief law enforcement officer of the county or city not within a
13 county may charge the offender registering a fee of up to ten
14 dollars.

15 5. For processing any change in registration required
16 pursuant to section 589.414 the chief law enforcement official of
17 the county or city not within a county may charge the person
18 changing their registration a fee of five dollars for each change
19 made after the initial registration.

20 6. Any person who has been convicted of, found guilty of,
21 or pleaded guilty or nolo contendere to committing, attempting to
22 commit, or conspiring to commit:

23 (1) Felonious restraint of a nonsexual nature when the
24 victim was a child and he or she was the parent or guardian of
25 the child; or

26 (2) Nonsexual child abuse that was committed under section
27 568.060; or

28 (3) Kidnapping of a nonsexual nature when the victim was a
29 child and he or she was the parent or guardian of the child,

30
31 shall be exempt from registering as a sexual offender; except
32 that, such person shall remain on the sexual offender registry
33 for any other offense for which he or she is required to register
34 under sections 589.400 to 589.425.

35 7. Any person currently on the sexual offender registry or
36 who otherwise would be required to register for [being convicted
37 of, found guilty of, or pleading guilty or nolo contendere to

1 committing, attempting to commit, or conspiring to commit,
2 felonious restraint when the victim was a child and he or she was
3 the parent or guardian of the child, nonsexual child abuse that
4 was committed under section 568.060, or kidnapping when the
5 victim was a child and he or she was the parent or guardian of
6 the child] any offense listed in subsection 6 of this section
7 shall be removed from the registry. However, such person shall
8 remain on the sexual offender registry for any other offense for
9 which he or she is required to register under sections 589.400 to
10 589.425.

11 8. Any person who has been convicted of, found guilty of,
12 or pleaded guilty or nolo contendere to committing, attempting to
13 commit, or conspiring to commit:

14 (1) Sexual misconduct in the second degree under section
15 566.093; or

16 (2) Sexual misconduct in the third degree under section
17 566.095; or

18 (3) Promoting obscenity in the first degree under section
19 573.020; or

20 (4) Promoting obscenity in the second degree under section
21 573.030; or

22 (5) Furnishing pornographic materials to minors under
23 section 573.040; or

24 (6) Public display of explicit sexual material under
25 section 573.060; or

26 (7) Coercing acceptance of obscene material under section
27 573.065,

28
29 shall be exempt from registering as a sexual offender; except
30 that, such person shall remain on the sexual offender registry
31 for any other offense for which he or she is required to register
32 under sections 589.400 to 589.425.

33 [7.] 9. Any person currently on the sexual offender
34 registry or who otherwise would be required to register for
35 [having been convicted of, found guilty of, or having pleaded
36 guilty or nolo contendere to committing, attempting to commit, or
37 conspiring to commit promoting prostitution in the second degree,

1 promoting prostitution in the third degree, public display of
2 explicit sexual material, statutory rape in the second degree,
3 and no physical force or threat of physical force was used in the
4 commission of the crime may file a petition in the civil division
5 of the circuit court in the county in which the offender was
6 convicted or found guilty of or pled guilty or nolo contendere to
7 committing, attempting to commit, or conspiring to commit the
8 offense or offenses for the removal of his or her name from the
9 sexual offender registry after ten years have passed from the
10 date he or she was required to register] any offense listed in
11 subsection 8 of this section shall be removed from the registry;
12 except that, such person shall remain on the sexual offender
13 registry for any other offense for which he or she is required to
14 register under sections 589.400 to 589.425.

15 [8.] 10. Effective August 28, 2009, any person on the
16 sexual offender registry for having been convicted of, found
17 guilty of, or having pled guilty or nolo contendere to an offense
18 included under subsection 1 of this section may file a petition
19 after two years have passed from the date the offender was
20 convicted or found guilty of or pled guilty or nolo contendere to
21 the offense or offenses in the civil division of the circuit
22 court in the county in which the offender was convicted or found
23 guilty of or pled guilty or nolo contendere to the offense or
24 offenses for removal of his or her name from the registry if such
25 person was nineteen years of age or younger and the victim was
26 thirteen years of age or older at the time of the offense and no
27 physical force or threat of physical force was used in the
28 commission of the offense, unless such person meets the
29 qualifications of this subsection, and such person was eighteen
30 years of age or younger at the time of the offense, and is
31 convicted or found guilty of or pleads guilty or nolo contendere
32 to a violation of section 566.068, 566.090, 566.093, or 566.095
33 when such offense is a misdemeanor, in which case, such person
34 may immediately file a petition to remove or exempt his or her
35 name from the registry upon his or her conviction or finding or
36 pleading of guilty or nolo contendere to such offense.

37 [9.] 11. (1) The court may grant such relief under

1 subsection [7 or 8] 9 or 10 of this section if such person
2 demonstrates to the court that he or she has complied with the
3 provisions of this section and is not a current or potential
4 threat to public safety. The prosecuting attorney in the circuit
5 court in which the petition is filed must be given notice, by the
6 person seeking removal or exemption from the registry, of the
7 petition to present evidence in opposition to the requested
8 relief or may otherwise demonstrate the reasons why the petition
9 should be denied. Failure of the person seeking removal or
10 exemption from the registry to notify the prosecuting attorney of
11 the petition shall result in an automatic denial of such person's
12 petition. If the prosecuting attorney is notified of the
13 petition he or she shall make reasonable efforts to notify the
14 victim of the crime for which the person was required to register
15 of the petition and the dates and times of any hearings or other
16 proceedings in connection with that petition.

17 (2) If the petition is denied, such person shall wait at
18 least twelve months before petitioning the court again. If the
19 court finds that the petitioner is entitled to relief, which
20 removes or exempts such person's name from the registry, a
21 certified copy of the written findings or order shall be
22 forwarded by the court to the chief law enforcement official
23 having jurisdiction over the offender and to the Missouri state
24 highway patrol in order to have such person's name removed or
25 exempted from the registry.

26 [10.] 12. Any nonresident worker or nonresident student
27 shall register for the duration of such person's employment or
28 attendance at any school of higher education [and is not entitled
29 to relief under the provisions of subsection 9 of this section].
30 Any registered offender from another state who has a temporary
31 residence in this state and resides more than seven days in a
32 twelve-month period shall register for the duration of such
33 person's temporary residency [and is not entitled to the
34 provisions of subsection 9 of this section].

35 [11.] 13. Any person whose name is removed or who is
36 exempted from the sexual offender registry under subsection [7 or
37 8] 6, 7, 8, 9, or 10 of this section shall [no longer] not be

1 required to fulfill the registration requirements of sections
2 589.400 to 589.425, unless such person is required to register
3 for committing another offense after being removed from the
4 registry.

5 14. Individuals that are not currently registered due to
6 being adjudicated of a sexual offense prior to the initial
7 enactment of state or federal sex offender registry legislation
8 shall only be required to register for their original offense if
9 the person is currently incarcerated or under supervision of the
10 Missouri department of corrections for a sexual offense.

11 589.401. 1. Any person on the sexual offender registry may
12 file a petition in the division of the circuit court in the
13 county in which the offense requiring registration was
14 adjudicated to have his or her name and information removed from
15 the sexual offender registry; except that, any person having
16 multiple offenses requiring registration under sections 589.400
17 to 589.425 shall not be eligible for removal from the registry
18 until all applicable time requirements under subsections 2 and 3
19 of this section for all such offenses have elapsed. If the
20 offense requiring registration was adjudicated in another state,
21 the District of Columbia, a foreign country, or a territory,
22 tribal, or military jurisdiction such person may file a petition
23 in the division of the circuit court in the county in which such
24 person resides.

25 2. A person who is required to register under the
26 provisions of sections 589.400 to 589.425 for any of the
27 following offenses or their equivalent in any other state,
28 territory, or the District of Columbia, or foreign country, or
29 under federal, tribal, or military jurisdiction, shall have their
30 petition for removal dismissed without prejudice if twenty years
31 has not elapsed since the date the person was required to
32 register:

33 (1) Kidnapping when a sexual offense under chapter 566 was
34 committed during the kidnapping or when the kidnapping was
35 committed for the purpose of committing a sexual offense under
36 chapter 566 and when the victim was less than eighteen years of
37 age and excluding kidnapping by a parent or guardian under

1 section 565.110;

2 (2) Child kidnapping when a sexual offense was committed
3 during the kidnapping or when the kidnapping was committed for
4 the purpose of committing a sexual offense under section 565.115;

5 (3) Forcible rape under section 566.030;

6 (4) Forcible sodomy under section 566.060;

7 (5) Sexual trafficking of a child under section 566.212;

8 (6) Sexual trafficking of a child under the age of twelve,
9 under section 566.213; or

10 (7) Child molestation in the first degree when it is a
11 class A felony under section 566.067.

12 3. A person who is required to register under the
13 provisions of sections 589.400 to 589.425 for any offense other
14 than those listed in subsection 2 of this section or their
15 equivalent in any other state, territory, or the District of
16 Columbia, or foreign country, or under federal, tribal, or
17 military jurisdiction, shall have their petition for removal
18 dismissed without prejudice if ten years has not elapsed since
19 the date the person was required to register.

20 4. (1) Any person convicted in any other state, territory,
21 or the District of Columbia, or foreign country, or federal,
22 tribal, or military jurisdiction shall not be eligible for
23 removal from the registry unless such person:

24 (a) In addition to meeting the twenty-year time requirement
25 under subsection 2 of this section, is a resident of this state
26 for one year immediately preceding the filing of the petition; or

27 (b) In addition to meeting the ten-year time requirement
28 under subsection 3 of this section, is a resident of this state
29 for one year immediately preceding the filing of the petition.

30 (2) Any person otherwise exempt from registration under
31 other applicable provisions of state law shall not be required to
32 petition for removal from the registry under subsection 2 or 3 of
33 this section.

34 5. The petition shall be dismissed without prejudice if it
35 fails to include any of the following:

36 (1) The petitioner's:

37 (a) Full name;

1 (b) Sex;
2 (c) Race;
3 (d) Date of birth;
4 (e) Last four digits of the Social Security number;
5 (f) Address;
6 (g) Place of employment, school, or volunteer status;
7 (2) The offense that required the petitioner to register;
8 (3) The date the petitioner pled to, was convicted of, or
9 was adjudicated for the offense;
10 (4) The date the petitioner was required to register;
11 (5) The date the petitioner actually registered;
12 (6) The case number and court, including county, that
13 entered the original order for the adjudicated sex offense;
14 (7) The petitioner's fingerprints on an applicant
15 fingerprint card;
16 (8) If the petitioner was pardoned or an offense requiring
17 registration was reversed, vacated, or set aside, an
18 authenticated copy of the order; and
19 (9) That the petitioner is currently registered under
20 applicable law and has not been adjudicated for failure to
21 register in any jurisdiction and does not have any charges
22 pending for failure to register.
23 6. The petition shall name as respondents the Missouri
24 state highway patrol and the chief law enforcement official in
25 the county or city not within a county in which the petition is
26 filed.
27 7. All proceedings under this section shall be governed
28 under the Missouri supreme court rules of civil procedure.
29 8. The prosecuting attorney in the circuit court in which
30 the petition is filed shall be given notice, by the person
31 seeking removal, of the petition and an opportunity to present
32 evidence in opposition to the facts alleged in the petition.
33 Failure of the person seeking removal or exemption from the
34 registry to notify the prosecuting attorney of the petition shall
35 result in an automatic denial of such person's petition.
36 9. The prosecuting attorney in the circuit court in which
37 the petition is filed shall have access to all applicable records

1 concerning the petitioner, including but not limited to criminal
2 history records under section 43.530, mental health records,
3 juvenile records, and records of the department of corrections
4 and/or probation and parole.

5 10. The prosecuting attorney shall make reasonable efforts
6 to notify the victim of the crime for which the person was
7 required to register of the petition and the dates and times of
8 any hearings or other proceedings in connection with such
9 petition.

10 11. Except as otherwise provided under subsection 12 of
11 this section, the court shall enter an order directing the
12 removal of the petitioner's name and information from the sexual
13 offender registry and from any corresponding state or local law
14 enforcement registry or website unless it finds that the
15 petitioner in this state or any other state, territory, or the
16 District of Columbia, or foreign country, or federal, tribal, or
17 military jurisdiction:

18 (1) Has been adjudicated of or has charges pending for
19 failure to register;

20 (2) Has been adjudicated of any additional offense which
21 would require registration as a sexual offender and which
22 occurred after the date such person initially registered as a
23 sexual offender;

24 (3) Has charges pending for any offense which would require
25 registration as a sexual offender;

26 (4) Has not successfully completed any required periods of
27 supervised release, probation, or parole; and

28 (5) Has not successfully completed all appropriate sexual
29 offender treatment, including any court-ordered treatment and any
30 treatment ordered by the department of corrections.

31 12. For any person who has been convicted of a crime listed
32 in subsection 2 of this section, the court may enter an order
33 directing the removal of the petitioner's name and information
34 from the sexual offender registry and from corresponding state or
35 local law enforcement registry or website upon the filing of a
36 petition for removal and submission of the petitioner's completed
37 risk assessment evaluation conducted by a licensed mental health

1 professional unless it finds that subdivisions (1) to (5) of
2 subsection 11 apply to the petitioner in this state or any other
3 state, territory, or the District of Columbia, or foreign
4 country, or federal, tribal, or military jurisdiction.

5 13. In order to prove the facts required by subdivisions
6 (1), (2), and (3) of subsection 11 of this section, the
7 fingerprints filed in the case shall be examined by the Missouri
8 state highway patrol and the Federal Bureau of Investigation.

9 14. Except as provided in subsection 14 of this section, if
10 it is found that the petition is denied, a successive petition
11 requesting such relief may be filed under this section one year
12 after the date of such denial unless such denial is based on a
13 subsequent conviction of a sex offense or failure to register, in
14 which case no successive petition shall be filed.

15 15. If it is found that the petition is denied solely on
16 the basis of the fact that the petitioner has pending charges and
17 those charges are subsequently dismissed or the petitioner is
18 subsequently acquitted of such pending charges, the petitioner
19 may file a new petition under this section at any time after the
20 dismissal or acquittal of such pending charges.

21 16. If the court finds that the petitioner is entitled to
22 have his or her name and information removed from the sexual
23 offender registry, the court shall enter judgment directing the
24 respondents to remove the petitioner's name and information from
25 all law enforcement sexual offender registries and public
26 websites within three business days of receiving the judgment. A
27 copy of the judgment shall be provided to the respondents named
28 in the petition.

29 17. Any person subject to judgment requiring his or her
30 name or information to be removed from the sexual offender
31 registry shall not be required to register or report under
32 sections 589.400 to 589.425 unless such person is required to
33 register and report for an offense that was committed after the
34 judgment of removal was entered.

35 589.402. 1. The chief law enforcement officer of the
36 county or city not within a county may maintain a [web page]
37 website on the internet, which shall be open to the public and

1 shall include a registered sexual offender search capability.

2 2. Except as provided by subsections 5, 6, and 7 of this
3 section, the registered sexual offender search [shall] may make
4 it possible for any person using the internet to search for and
5 find the information specified in subsection 3 of this section,
6 if known, on offenders registered in this state pursuant to
7 sections 589.400 to 589.425[, except that only persons who have
8 been convicted of, found guilty of, or plead guilty to
9 committing, attempting to commit, or conspiring to commit sexual
10 offenses shall be included on this website].

11 3. Only the information listed in this subsection [shall]
12 may be provided to the public in the registered sexual offender
13 search:

14 (1) The name and any known aliases of the offender;

15 (2) The date of birth and any known alias dates of birth of
16 the offender;

17 (3) A physical description of the offender;

18 (4) The residence, temporary, work, and school addresses of
19 the offender, including the street address, city, county, state,
20 and zip code;

21 (5) [Any photographs of the offender] A current photograph
22 of the individual, which shall be taken by the registering
23 official;

24 (6) [A physical description of the offender's vehicles,
25 including the year, make, model, color, and license plate number;

26 (7)] The nature and dates of all offenses qualifying the
27 offender to register;

28 [(8)] (7) The date on which the offender was released from
29 the department of mental health, prison, or jail, or placed on
30 parole, supervised release, or probation for the offenses
31 qualifying the offender to register;

32 [(9)] (8) Compliance status of the offender with the
33 provisions of sections 589.400 to 589.425; [and]

34 [(10)] (9) Any online identifiers, as defined in section
35 43.651, used by the person. Such online identifiers shall not be
36 included in the general profile of an offender on the webpage and
37 shall only be available to a member of the public by a search

1 using the specific online identifier to determine if a match
2 exists with a registered offender; and

3 (10) The status of the offender's term of incarceration,
4 probation, or parole.

5 4. The chief law enforcement officer of any county or city
6 not within a county may [publish in any newspaper distributed in
7 the county or city not within a county the sexual offender
8 information provided under subsection 3 of this section for any
9 offender residing in the county or city not within a county] give
10 notice to any public school as defined in section 160.011, any
11 private school giving instruction in a grade or grades not higher
12 than the twelfth grade, any child care facility licensed under
13 chapter 210, or any child care facility defined in section
14 210.201 that is exempt from state licensure but subject to state
15 regulation under section 210.252 and holds itself out to be a
16 child care facility, that a sex offender is residing, working, or
17 attending school within a five mile radius of such school or
18 child care facility. Such notice shall only include the sex
19 offender information described in subsection 3 of this section.

20 5. Notwithstanding the requirement to register under the
21 provisions of sections 589.400 to 589.425, offenders committing
22 felonious restraint of a nonsexual nature when the victim was
23 under the age of eighteen under section 565.120 or kidnapping of
24 a nonsexual nature when the victim was under the age of eighteen
25 under section 565.110 are exempt from the public notification
26 requirements of this section if:

27 (1) There is no other offense for which the offender is
28 required to register;

29 (2) The offender is not a repeat offender as defined in
30 section 589.404; and

31 (3) No sexual conduct, attempted sexual conduct, or
32 conspiracy to commit sexual conduct occurred during the offense.

33 6. Witnesses afforded federal protection who are required
34 to register under the provisions of sections 589.400 to 589.425
35 shall be excluded from the website under 18 U.S.C. Section 3521
36 et seq., while under active federal protection.

37 7. Juveniles required to register under section 589.400

1 shall be excluded from the website.

2 589.403. 1. Any person [to whom subsection 1 of section
3 589.400 applies] who is required to register under sections
4 589.400 to 589.425 who is paroled, discharged, or otherwise
5 released from any correctional facility of the department of
6 corrections [or], any mental health institution, private jail
7 under section 221.095, or other private facility recognized by or
8 contracted with the department of corrections or department of
9 mental health where such person was confined shall;

10 (1) If the person plans to reside in Missouri, be informed
11 by the official in charge of such correctional facility or mental
12 health institution of the person's possible duty to register
13 pursuant to sections 589.400 to 589.425. If such person is
14 required to register pursuant to sections 589.400 to 589.425, the
15 official in charge of the correctional facility or the mental
16 health institution shall complete the initial registration
17 notification at least seven days prior to release and forward the
18 offender's registration, within three business days of release,
19 to the Missouri state highway patrol and to the chief law
20 enforcement official of the county or city not within a county
21 where the person expects to reside upon discharge, parole or
22 release[. When the person lists an address where he or she
23 expects to reside that is not in this state, the initial
24 registration shall be forwarded to the Missouri state highway
25 patrol.]; or

26 (2) If the person does not reside or plan to reside in
27 Missouri, be informed by the official in charge of such
28 correctional facility or mental health institution of the
29 person's possible duty to register under sections 589.400 to
30 589.425. If such person is required to register under sections
31 589.400 to 589.425, the official in charge of the correctional
32 facility or the mental health institution shall complete the
33 initial registration notification at least seven days prior to
34 release and forward the offender's registration within three
35 business days of release to the Missouri state highway patrol and
36 chief law enforcement official within the county that the
37 correctional facility or mental health institution is located.

1 2. If the offender refuses to complete and sign the
2 registration information as outlined in this section or fails to
3 register with the chief law enforcement official within five
4 business days as directed, such refusal or failure shall
5 constitute an offense of failure to register under section
6 589.425.

7 589.405. 1. Any person [to whom subsection 1 of section
8 589.400 applies] who is required to register under sections
9 589.400 to 589.425 who is released on probation, discharged upon
10 payment of a fine, or released after confinement in a county jail
11 shall, prior to such release or discharge, be informed of the
12 possible duty to register pursuant to sections 589.400 to 589.425
13 by the court having jurisdiction over the case. If such person is
14 required to register pursuant to sections 589.400 to 589.425 and
15 is placed on probation, the court shall [obtain the address where
16 the person expects to reside upon discharge, parole or release
17 and shall] make it a condition of probation that the offender
18 report, within [three] five business days[, such address] to the
19 chief law enforcement official of the county of adjudication or
20 city not within a county [where the person expects to reside,
21 upon discharge, parole or release.] of adjudication, to complete
22 the initial registration. If such offender is not placed on
23 probation, the court shall:

24 (1) If the offender resides in Missouri, complete the
25 initial notification of duty to register form approved by the
26 state judicial records committee and the Missouri state highway
27 patrol and forward the form within three business days to the
28 Missouri state highway patrol and the chief law enforcement
29 official in the county in which the offender resides;

30 (2) If the offender does not reside in Missouri, the court
31 shall:

32 (a) Order the offender to proceed directly to the chief law
33 enforcement official in the county where the adjudication was
34 heard to register as outlined in sections 589.400 to 589.425; and

35 (b) Complete the initial notification of duty to register
36 form approved by the state judicial records committee and the
37 Missouri state highway patrol and forward the form within three

1 business days to the Missouri state highway patrol and the chief
2 law enforcement official in the county where the offender was
3 adjudicated.

4 2. If the offender refuses to complete and sign the
5 registration information as outlined in subdivision (1) of
6 subsection 1 of this section or if the offender resides outside
7 of Missouri and fails to directly report to the chief law
8 enforcement official as outlined in subdivision (2) of subsection
9 1 of this section, such refusal or failure shall constitute an
10 offense of failure to register under section 589.425.

11 589.407. 1. Any registration pursuant to sections 589.400
12 to 589.425 shall consist of completion of an offender
13 registration form developed by the Missouri state highway patrol
14 or other format approved by the Missouri state highway patrol.
15 Such form shall consist of a statement in writing, including the
16 signature of the offender and shall include, but is not limited
17 to the following:

18 (1) [A statement in writing signed by the person, giving the
19 name, address, Social Security number and phone number of the
20 person, the license plate number and vehicle description,
21 including the year, make, model, and color of each vehicle owned
22 or operated by the offender, any online identifiers, as defined
23 in section 43.651, used by the person, the place of employment of
24 such person, enrollment within any institutions of higher
25 education, the crime which requires registration, whether the
26 person was sentenced as a persistent or predatory offender
27 pursuant to section 558.018, the date, place, and a brief
28 description of such crime, the date and place of the conviction
29 or plea regarding such crime, the age and gender of the victim at
30 the time of the offense and whether the person successfully
31 completed the Missouri sexual offender program pursuant to
32 section 589.040, if applicable;] The full name of the individual
33 to include any alias, maiden, nicknames, pseudonym, ethnic or
34 tribal names used, regardless of the context in which they are
35 used;

36 (2) The date of birth of the individual to include any
37 alias dates of birth used;

1 (3) The address of the individual's residence or, if the
2 individual is homeless, the names and addresses of habitual
3 locales frequented during the day and night to include any
4 temporary homeless shelter or other temporary residence;

5 (4) The name and fixed address of the individual's
6 employers, to include any place where the individual serves as a
7 volunteer or unpaid intern. If the individual's place of
8 employment is not fixed, the places where the individual works
9 with whatever definiteness is possible under the circumstances
10 shall be required, such as information about normal travel routes
11 or the general areas in which the individual works;

12 (5) The name and address of any institutions of higher
13 education that the individual attends;

14 (6) The Social Security number of the individual including
15 any alias Social Security numbers used;

16 (7) The telephone numbers of the individual including all
17 landline and cellular telephone numbers used;

18 (8) The license plate number, registration number, vehicle
19 identification number, and vehicle description, including the
20 year, make, model, color, and habitual location of each vehicle
21 owned or operated by the individual for personal or work use;

22 (9) Any online identifiers as defined in section 43.651
23 which are used by the individual for personal purposes;

24 (10) The crime for which the individual is registering
25 including whether the person was sentenced as a persistent or
26 predatory offender under section 558.018;

27 (11) The date, place, a brief description of the crime
28 including the date and place of the adjudication regarding such
29 crime;

30 (12) The age and gender of the victim and the offender at
31 the time of the offense;

32 (13) If the offender was required to successfully complete
33 appropriate sexual offender treatment, including any court-
34 ordered treatment or any treatment ordered by the department of
35 corrections, the date that the offender successfully completed
36 such treatment, or a statement, that as of the date of
37 registration, the offender has not yet successfully completed the

1 required sexual offender treatment or has failed to successfully
2 complete the required sexual offender treatment;

3 (14) The status of the individual's parole, probation, or
4 supervised release, if applicable;

5 (15) Passport and immigration numbers to include expiration
6 dates; and

7 (16) The physical description of the sex offender to
8 include the physical appearance or characteristics, and
9 identifying marks such as scars, marks, or tattoos.

10 2. The following shall be included with the form:

11 [(2)] (1) The fingerprints, palm prints, and a photograph
12 of the person; [and]

13 (2) A current photograph of the individual to be taken by
14 the registering official; and

15 (3) A DNA sample from the individual, if a sample has not
16 already been obtained.

17 [2.] 3. The offender shall provide positive identification
18 and documentation to substantiate the accuracy of the information
19 completed on the offender registration form, including but not
20 limited to the following:

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

23 (2) A document verifying proof of the offender's
24 residency[; and

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

27 4. The Missouri state highway patrol shall maintain all
28 required registration information in digitized form.

29 5. Upon receipt of any changes to an offender's
30 registration information contained in this section, the Missouri
31 state highway patrol shall immediately notify all other
32 jurisdictions in which the offender is either registered or
33 required to register.

34 6. The offender shall be responsible for reviewing his or
35 her existing registration information for accuracy at every
36 regular in-person appearance and if any inaccuracies are found
37 provide proof of the information in question. The registering

1 law enforcement official shall, within three business days of
2 receipt of proof from the offender regarding the inaccuracy,
3 correct the inaccuracy on its law enforcement registry and on its
4 public website, if any, and shall notify the Missouri state
5 highway patrol of the change in information. The Missouri state
6 highway patrol shall, within three business days of notification
7 by the registering law enforcement official, correct the
8 inaccuracy on its law enforcement registry and on its public
9 website.

10 7. The signed offender registration form shall serve as
11 proof that the individual understands his or her duty to register
12 as a sexual offender under sections 589.400 to 589.425, and a
13 statement to such effect shall be included on the form that the
14 individual is required to sign at each registration.

15 589.410. 1. The chief law enforcement official shall
16 forward the completed offender registration form to the Missouri
17 state highway patrol within three days. The patrol shall enter
18 the information into the Missouri uniform law enforcement system
19 (MULES) where it is available to members of the criminal justice
20 system, and other entities as provided by law, upon inquiry.

21 2. Upon receipt of each completed offender registration
22 form, the Missouri state highway patrol shall review the
23 information contained in the form to determine whether, according
24 to the form, the offender will be working, including as a
25 volunteer or unpaid intern, or attending any school, whether
26 public or private in nature, including any secondary school,
27 trade school, professional school, or institution of higher
28 education, on a full-time or part-time basis, or residing on a
29 temporary basis for fourteen or more consecutive days in a county
30 or city not within a county other than the county of
31 registration. If so, the patrol shall, within three business
32 days of receipt of the registration form, notify the other
33 jurisdictions where the offender will be working, attending
34 school, or temporarily residing of that information.

35 589.414. 1. Any person required by sections 589.400 to
36 589.425 to register shall, not later than [three] five business
37 days [after each change of name, residence within the county or

1 city not within a county at which the offender is registered,
2 employment, or student status,] appear in person to the chief law
3 enforcement officer of the county or city not within a county
4 [and inform such officer of all changes in the information
5 required by the offender. The chief law enforcement officer
6 shall immediately forward the registrant changes to the Missouri
7 state highway patrol within three business days] if there is a
8 change to any of the following information:

9 (1) Name;
10 (2) Residence;
11 (3) Employment;
12 (4) Student status; or
13 (5) A termination to any of the items listed in this
14 subsection.

15 2. Any person required to register under sections 589.400
16 to 589.425 shall, within five business days after a change,
17 notify the chief law enforcement officer of the county or city
18 not within a county of any changes to the following information:

19 (1) Vehicle information;
20 (2) Temporary residence information; or
21 (3) Email addresses, instant messaging addresses, and any
22 other designations used in internet communications, postings, or
23 telephone communications.

24 3. The chief law enforcement official in the county or city
25 not within a county shall immediately forward the registration
26 changes described in subsections 1 and 2 of this section to the
27 Missouri state highway patrol within three business days.

28 4. The Missouri state highway patrol shall review any
29 changes received from registering officials under subsection 3 of
30 this section to determine whether the offender will now be
31 working, including as a volunteer or unpaid intern, or attending
32 any school, whether public or private in nature, including any
33 secondary school, trade school, professional school, or
34 institution of higher education, on a full-time or part-time
35 basis, or residing on a temporary basis for fourteen or more
36 consecutive days in a county or city not within a county other
37 than the county of registration. If so, the patrol shall, within

1 three business days of receipt of the changes, notify the other
2 jurisdictions where the offender will be working, attending
3 school, or temporarily residing of that information.

4 [2.] 5. If any person required by sections 589.400 to
5 589.425 to register changes such person's residence or address to
6 a different county or city not within a county, the person shall
7 appear in person and shall inform both the chief law enforcement
8 official with whom the person last registered and the chief law
9 enforcement official of the county or city not within a county
10 having jurisdiction over the new residence or address in writing
11 within three business days of such new address and phone number,
12 if the phone number is also changed. If any person required by
13 sections 589.400 to 589.425 to register changes their state, or
14 foreign country, or federal, tribal, or military jurisdiction of
15 residence, the person shall appear in person and shall inform
16 both the chief law enforcement official with whom the person was
17 last registered and the chief law enforcement official of the
18 area in the new state, or foreign country, or federal, tribal, or
19 military jurisdiction having jurisdiction over the new residence
20 or address within three business days of such new address.
21 Whenever a registrant changes residence, the chief law
22 enforcement official of the county or city not within a county
23 where the person was previously registered shall inform the
24 Missouri state highway patrol of the change within three business
25 days. When the registrant is changing the residence to a new
26 state or foreign country, or federal, tribal, or military
27 jurisdiction, the Missouri state highway patrol shall inform the
28 responsible official in the new state, or foreign country, or
29 federal, tribal, or military jurisdiction of residence within
30 three business days.

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

36 (1) Any offender registered as a predatory or persistent
37 sexual offender under the definitions found in section 558.018;

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

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

7 4.] 6. In addition to the requirements of subsections 1
8 [and], 2, and 5 of this section, [all registrants] any person
9 required to register under the provisions of sections 589.400 to
10 589.425 for any offense other than those listed in subsection 2
11 of section 589.401, or their equivalent in any other state,
12 territory, or the District of Columbia, or foreign country, or
13 under federal, tribal, or military jurisdiction, shall report
14 [semiannually] annually in person in the month of their birth
15 [and six months thereafter] to the chief law enforcement [agency]
16 official to verify the information contained in their statement
17 made pursuant to section 589.407[. All registrants shall allow
18 the chief law enforcement officer to take a current photograph of
19 the offender in the month of his or her birth to the chief law
20 enforcement agency] and six months thereafter shall report by
21 mail on a form to be provided by the Missouri state highway
22 patrol to update any change in information or to indicate that
23 there has been no change. Such form shall require the signature
24 of the offender.

25 7. In addition to the requirements of subsections 1, 2, and
26 5 of this section, any person required to register under the
27 provisions of sections 589.400 to 589.425 for any offenses listed
28 in subsection 2 of section 589.401, or their equivalent in any
29 other state, territory, or the District of Columbia, or foreign
30 country, or under federal, tribal, or military jurisdiction,
31 shall report semiannually in person in the month of their birth
32 and six months thereafter to the chief law enforcement official
33 to verify the information contained in their statement made under
34 section 589.407. In addition, such offenders shall report by
35 mail ninety days after each in-person report on a form to be
36 provided by the Missouri state highway patrol to update any
37 change in information or to indicate that there has been no

1 change. Such form shall require the signature of the offender.

2 [5.] 8. In addition to the requirements of subsections 1
3 [and], 2, and 5 of this section, all Missouri registrants who
4 work, including as a volunteer or unpaid intern, or attend any
5 school [or training], whether public or private in nature,
6 including any secondary school, trade school, professional
7 school, or institution of higher education on a full-time or
8 part-time basis in any other state shall be required to report in
9 person to the chief law enforcement officer in the area of the
10 state where they work or attend school or training and register
11 in that state. "Part-time" in this subsection means for more
12 than seven days in any twelve-month period.

13 [6. If a person, who is required to register as a sexual
14 offender under sections 589.400 to 589.425, changes or obtains a
15 new online identifier as defined in section 43.651, the person
16 shall report such information in the same manner as a change of
17 residence before using such online identifier.]

18 9. Whenever any person reports under the provisions of this
19 section in person and in the month of their birth, the
20 registering law enforcement official shall take a current
21 photograph of the offender."; and

22 Further amend said title, enacting clause and intersectional
23 references accordingly.