

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 614, Page 1, in the Title, Line 4, by
2 deleting the word, "judicial personnel" and inserting in lieu thereof the words, "the judiciary"; and
3
4 Further amend said bill, Page 2, Section 477.180, Line 2, by inserting after all of said line the
5 following:

6
7 "566.157. 1. For purposes of this section, the following terms mean:

8 (1) "Instant messaging or chat room program", a program that allows a form of real time text
9 communication between two or more people via computers connected over a network such as the
10 internet, or between cell phone or wireless communication device users, or over a cell phone or
11 wireless communication device network;

12 (2) "Social networking website", a website that allows users to create web pages or profiles
13 about themselves that are available to the general public, or to any other users, and offers a
14 mechanism for communication among users. Social networking website shall not include any of the
15 following:

16 (a) A website that provides only one of the following services: photo-sharing, electronic
17 mail, or instant messaging;

18 (b) A website, the primary purpose of which is the facilitation of commercial transactions
19 involving goods or services between its members or visitors;

20 (c) A website, the primary purpose of which is the dissemination of news; or

21 (d) A website of a governmental entity.

22 2. A person commits the offense of unlawful internet communication with a minor if:

23 (1) Such person has been found guilty of:

24 (a) Any of the provisions of this chapter;

25 (b) Incest under section 568.020;

26 (c) Endangering the welfare of a child in the first degree under section 568.045;

27 (d) Use of a child in a sexual performance under section 568.080;

28 (e) Promoting a sexual performance by a child under section 568.090;

29 (f) Sexual exploitation of a minor under section 573.023;

30 (g) Promoting child pornography in the first degree under section 573.025;

31 (h) Promoting child pornography in the second degree under section 573.035;

32 (i) Possession of child pornography under section 573.037; or

33 (j) Furnishing pornographic material to minors under section 573.040; and

34 (2) Such person knowingly violates a condition of probation, parole, or supervised release
35 that prohibits such person from using a social networking website or an instant messaging or chat
36 room program to communicate, directly or through an intermediary, with a child less than sixteen

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1 years of age.

2 3. Unlawful internet communication with a minor is a class A misdemeanor unless the
3 person has previously been found guilty of an offense under this section, in which case it is a class D
4 felony.

5 4. It is a defense to prosecution under this section that the person reasonably believed that the
6 child was at least sixteen years of age."; and

7
8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.