

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 1371, Page 4, Lines 103-104, in the Title,  
2 by deleting the phrase "for the sole purpose of restructuring the Missouri criminal code" and  
3 inserting in lieu thereof the phrase "relating to crime"; and  
4

5 Further amend said bill, Page 88, Section 197.1004, Line 14, by deleting all of said line and inserting  
6 in lieu thereof the following:  
7

8 "section [660.250] 197.1000 shall be referred to the appropriate state or local authorities."; and  
9

10 Further amend said bill, Page 157, Section 302.458, Line 5, by deleting all of said line and inserting  
11 in lieu thereof the following:  
12

13 "ignition interlock devices in full compliance with sections [577.600 to 577.614] 302.440"; and  
14

15 Further amend said bill, Page 177, Section 306.111, Line 1, by deleting all of said line and inserting  
16 in lieu thereof the following:  
17

18 "306.111. [1.] A person commits the [crime] offense of negligent operation of a vessel if when"; and  
19

20 Further amend said bill, Page 349, Section 566.086, Lines 4 through 7, by deleting all of said lines  
21 and inserting in lieu thereof the following:  
22

23 "(2) A student teacher;

24 (3) An employee of the school;

25 (4) A volunteer of the school or of an organization working with the school on a project or  
26 program who is not a student at the [public] school"; and  
27

28 Further amend said bill, Pages 352-354, Section 566.125, Lines 1-72, by deleting all of said section  
29 and lines and inserting in lieu thereof the following:  
30

31 "[558.018.] 566.125. 1. The court shall sentence a person to an extended term of imprisonment if it  
32 finds the defendant is a persistent sexual offender and has been found guilty of attempting to commit  
33 or committing the following offenses:

34 (1) Statutory rape in the first degree or statutory sodomy in the first degree;

35 (2) Rape in the first degree or sodomy in the first degree [attempted or committed on or after  
36 August 28, 2013];

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1 (3) Forcible rape [committed or attempted any time during the period of August 13, 1980 to  
2 August 27, 2013];

3 (4) Forcible sodomy [committed or attempted any time during the period of January 1, 1995  
4 to August 27, 2013];

5 (5) Rape [committed or attempted before August 13, 1980];

6 (6) Sodomy [committed or attempted before January 1, 1995].

7 2. A "persistent sexual offender" is one who has previously been found guilty of attempting  
8 to commit or committing any of the offenses listed in subsection 1 of this section or one who has  
9 previously been found guilty of an offense in another jurisdiction which would constitute any of the  
10 offenses listed in subsection 1 of this section.

11 3. The term of imprisonment for one found to be a persistent sexual offender shall be  
12 imprisonment for life without eligibility for probation or parole. Subsection 4 of section 558.019  
13 shall not apply to any person imprisoned under this subsection, and "imprisonment for life" shall  
14 mean imprisonment for the duration of the person's natural life.

15 4. The court shall sentence a person to an extended term of imprisonment as provided for in  
16 this section if it finds the defendant is a predatory sexual offender and has been found guilty of  
17 committing or attempting to commit any of the offenses listed in subsection 1 of this section or  
18 committing child molestation in the first or second degree [when classified as a class B felony] or  
19 sexual abuse when classified as a class B felony [to an extended term of imprisonment as provided  
20 for in this section if it finds the defendant is a predatory sexual offender].

21 5. For purposes of this section, a "predatory sexual offender" is a person who:

22 (1) Has previously been found guilty of committing or attempting to commit any of the  
23 offenses listed in subsection 1 of this section, or committing child molestation in the first or second  
24 degree [when classified as a class B felony] or sexual abuse when classified as a class B felony; or

25 (2) Has previously committed an act which would constitute an offense listed in subsection 4  
26 of this section, whether or not the act resulted in a conviction; or

27 (3) Has committed an act or acts against more than one victim which would constitute an  
28 offense or offenses listed in subsection 4 of this section, whether or not the defendant was charged  
29 with an additional offense or offenses as a result of such act or acts.

30 6. A person found to be a predatory sexual offender shall be imprisoned for life with  
31 eligibility for parole, however subsection 4 of section 558.019 shall not apply to persons found to be  
32 predatory sexual offenders for the purposes of determining the minimum prison term or the length of  
33 sentence as defined or used in such subsection. Notwithstanding any other provision of law, in no  
34 event shall a person found to be a predatory sexual offender receive a final discharge from parole.

35 7. Notwithstanding any other provision of law, the court shall set the minimum time  
36 required to be served before a predatory sexual offender is eligible for parole, conditional release or  
37 other early release by the department of corrections. The minimum time to be served by a person  
38 found to be a predatory sexual offender who:

39 (1) Has previously been found guilty of committing or attempting to commit any of the  
40 offenses listed in subsection 1 of this section and is found guilty of committing or attempting to  
41 commit any of the offenses listed in subsection 1 of this section shall be any number of years but not  
42 less than thirty years;

43 (2) Has previously [pleaded guilty to or has] been found guilty of child molestation in the  
44 first or second degree [when classified as a class B felony] or sexual abuse when classified as a class  
45 B felony and is found guilty of attempting to commit or committing any of the offenses listed in  
46 subsection 1 of this section shall be any number of years but not less than fifteen years;

47 (3) Has previously been found guilty of committing or attempting to commit any of the  
48 offenses listed in subsection 1 of this section, or committing child molestation in the first or second

1 degree [when classified as a class B felony] or sexual abuse when classified as a class B felony shall  
2 be any number of years but not less than fifteen years;

3 (4) Has previously [pleaded guilty to or has] been found guilty of child molestation in the  
4 first or second degree [when classified as a class B felony] or sexual abuse when classified as a class  
5 B felony, and [pleads guilty to or] is found guilty of child molestation in the first or second degree  
6 [when classified as a class B felony] or sexual abuse when classified as a class B felony shall be any  
7 number of years but not less than fifteen years;

8 (5) Is found to be a predatory sexual offender pursuant to subdivision (2) or (3) of  
9 subsection 5 of this section shall be any number of years within the range to which the person could  
10 have been sentenced pursuant to the applicable law if the person was not found to be a predatory  
11 sexual offender.

12 8. Notwithstanding any provision of law to the contrary, the department of corrections, or  
13 any division thereof, may not furlough an individual found to be and sentenced as a persistent sexual  
14 offender or a predatory sexual offender."; and  
15

16 Further amend said bill, Page 375, Section 569.040, Lines 2-3, by deleting all of said lines and  
17 inserting in lieu thereof the following:  
18

19 "if he or she:

20 (1) Knowingly damages a building or inhabitable structure, and when any person is then";  
21 and  
22

23 Further amend said bill and page, Section 569.050, Line 4, by deleting all of said line and inserting  
24 in lieu thereof the following:  
25

26 "2. A person does not commit [a crime] an offense under this section if:"; and  
27

28 Further amend said bill, Page 427, Section 571.041, Line 7, by deleting the word "effect" on said  
29 line, and inserting in lieu thereof the word "affect"; and  
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31 Further amend said bill, Page 428, Section 571.041, Line 36, by deleting the word "or" on said line;  
32 and  
33

34 Further amend said bill, page, and section, Line 37, by inserting immediately after the word  
35 "attorney" on said line the following:  
36

37 ", or any person appointed by a court to be a special prosecutor"; and  
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39 Further amend said bill, Pages 445-446, Section 573.090, Lines 1-21, by deleting all of said section  
40 and lines; and  
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42 Further amend said bill, Page 485, Section 577.012, Lines 45-46, by deleting all of said lines and  
43 inserting in lieu thereof the following:  
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45 "6. A person found guilty of the offense of driving with excessive blood alcohol content shall"; and  
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47 Further amend said bill, page and section, Line 50, by deleting all of said line and inserting in lieu  
48 thereof the following:

1  
2 "7. A person found guilty of driving with excessive blood alcohol content:"; and

3  
4 Further amend said bill, Page 508, Section 577.080, Line 2, by deleting all of said line and inserting  
5 in lieu thereof the following:

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7 "vessel, or trailer if he or she knowingly abandons any [motor] vehicle, vessel, or trailer [on]"; and

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9 Further amend said bill, Page 512, Section 577.599, Line 4, by inserting after the word "court" on  
10 said line the following:

11  
12 "or department of revenue"; and

13  
14 Further amend said bill, Page 517, Section 578.009, Line 1, by deleting all of said line and inserting  
15 in lieu thereof the following:

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17 "578.009. 1. A person [is guilty] commits the offense of animal neglect if he or she"; and

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19 Further amend said bill, Page 559, Section 579.170, Line 21, by deleting all of said line and inserting  
20 in lieu thereof the following:

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22 "offender and is found guilty of a class C, D, or E felony under this chapter to the"; and

23  
24 Further amend said bill and page, Section 579.175, Line 1, by deleting all of said line and inserting  
25 in lieu thereof the following:

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27 "[195.280.] 579.175. Any [peace] law enforcement officer of the state of Missouri, or of any  
28 political"; and

29  
30 Further amend said bill, Page 607, Section 573.013, Line 13, by inserting after all of said section and  
31 line the following:

32  
33           [573.090. 1. Video cassettes or other video reproduction devices, or the jackets, cases  
34 or coverings of such video reproduction devices shall be displayed or maintained in a  
35 separate area if the same are pornographic for minors as defined in section 573.010, or if:  
36 (1) Taken as a whole and applying contemporary community standards, the average person  
37 would find that it has a tendency to cater or appeal to morbid interest in violence for persons  
38 under the age of seventeen; and  
39 (2) It depicts violence in a way which is patently offensive to the average person applying  
40 contemporary adult community standards with respect to what is suitable for persons under  
41 the age of seventeen; and  
42 (3) Taken as a whole, it lacks serious literary, artistic, political, or scientific value for persons  
43 under the age of seventeen.  
44 2. Any video cassettes or other video reproduction devices meeting the description in  
45 subsection 1 of this section shall not be rented or sold to a person under the age of seventeen  
46 years.  
47 3. Any violation of the provisions of subsection 1 or 2 of this section shall be punishable as  
48 an infraction, unless such violation constitutes furnishing pornographic materials to minors as

1 defined in section 573.040, in which case it shall be punishable as a class A misdemeanor or  
2 class D felony as prescribed in section 573.040, or unless such violation constitutes  
3 promoting obscenity in the second degree as defined in section 573.030, in which case it shall  
4 be punishable as a class A misdemeanor or class D felony as prescribed in section 573.030.];  
5 and  
6

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