

FIRST REGULAR SESSION

HOUSE BILL NO. 597

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SOMMER.

1425H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 566.147, RSMo, and to enact in lieu thereof three new sections relating to sexual offenders, with penalty provisions.

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

Section A. Section 566.147, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 419.100, 566.147, and 589.436, to read as follows:

419.100. If a lodging establishment knows a registered sexual offender or person convicted of an offense described under subsection 1 of section 566.147 is staying on its premises, the lodging establishment shall conspicuously post in a prominent and visible area behind the registration desk a sign, in at least thirty-six point print, informing potential customers or clients that there is one or more registered sexual offenders staying on the premises. If a customer is making a reservation via the internet or by telephone at such lodging establishment, it shall be the duty of the lodging establishment to inform the customer at such time that there is one or more registered sexual offenders staying on the premises or scheduled to stay at the premises.

566.147. 1. Any person who, since July 1, 1979, has been or hereafter has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of section 568.080 as it existed prior to January 1, 2017, or section 573.200, use of a child in a sexual performance; section 568.090 as it existed prior to January 1, 2017, or section 573.205, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting

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.

9 child pornography in the second degree; section 573.037, possession of child pornography, or
10 section 573.040, furnishing pornographic material to minors; or

11 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
12 violation listed in this section[;]

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14 shall not reside within one thousand feet of any public school as defined in section 160.011, any
15 private school giving instruction in a grade or grades not higher than the twelfth grade, or any
16 child care facility that is licensed under chapter 210, or any child care facility as defined in
17 section 210.201 that is exempt from state licensure but subject to state regulation under section
18 210.252 and holds itself out to be a child care facility, where the school or facility is in existence
19 at the time the individual begins to reside at the location. Such person shall also not reside
20 within one thousand feet of the property line of the residence of a former victim of such person.

21 2. If such person has already established a residence and a public school, a private
22 school, or child care facility is subsequently built or placed within one thousand feet of such
23 person's residence, or a former victim subsequently resides on property with a property line
24 within one thousand feet of such person's residence, then such person shall, within one week of
25 the opening of such public school, private school, or child care facility, or the former victim
26 residing on the property, notify the county sheriff where such public school, private school, child
27 care facility, or residence of a former victim is located that he or she is now residing within one
28 thousand feet of such public school, private school, child care facility, or property line of the
29 residence of a former victim, and shall provide verifiable proof to the sheriff that he or she
30 resided there prior to the opening of such public school, private school, or child care facility, or
31 the former victim residing on the property.

32 3. For purposes of this section, "resides" means sleeps in a residence, which may include
33 more than one location and may be mobile or transitory.

34 4. For the purposes of the section, one thousand feet shall be measured from the edge of
35 the offender's property nearest the public school, private school, child care facility, or former
36 victim to the nearest edge of the public school, private school, child care facility, or former
37 victim's property.

38 5. Violation of the provisions of subsection 1 of this section is a class E felony except
39 that the second or any subsequent violation is a class B felony. Violation of the provisions of
40 subsection 2 of this section is a class A misdemeanor except that the second or subsequent
41 violation is a class E felony.

42 **6. No person described under subsection 1 of this section shall stay at a lodging**
43 **establishment, as that term is defined under section 419.010, without informing such**
44 **lodging establishment of the person's status as a sexual offender. Each night a person stays**

45 at a lodging establishment without informing the lodging establishment shall be a separate
46 violation of this subsection. A violation of this subsection is a class D misdemeanor.

589.436. No person required to register as a sexual offender under sections 589.400
2 to 589.425 shall stay at a lodging establishment, as that term is defined under section
3 419.010, without informing such lodging establishment of the person's status as a
4 registered sexual offender. Each night a person stays at a lodging establishment without
5 informing the lodging establishment shall be a separate violation of this subsection. A
6 violation of this subsection is a class D misdemeanor.

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