

FIRST REGULAR SESSION

HOUSE BILL NO. 1016

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHAWAN.

2142H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 566.149, RSMo, and to enact in lieu thereof one new section relating to permission given to certain offenders to be present on school property.

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

Section A. Section 566.149, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.149, to read as follows:

566.149. 1. Any person who 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; or section 573.040, furnishing pornographic material to minors; or

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

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shall not be present in or loiter within five hundred feet of any school building, on real property comprising any school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school-related activity when persons under the age of eighteen are present in the building, on the grounds, or in the conveyance, unless the offender is a parent, legal guardian, or custodian of a student present in the building and has met the conditions set forth in subsection 2 of this section.

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.

18 2. No parent, legal guardian, or custodian who has been found guilty of violating any of
19 the offenses listed in subsection 1 of this section shall be present in any school building, on real
20 property comprising any school, or in any conveyance owned, leased, or contracted by a school
21 to transport students to or from school or a school-related activity when persons under the age
22 of eighteen are present in the building, on the grounds or in the conveyance unless the parent,
23 legal guardian, or custodian has permission to be present from the **local law enforcement**
24 **agency and the** superintendent or school board or in the case of a private school from the
25 principal. In the case of a public school, if permission is granted, the superintendent or school
26 board president must inform the principal of the school where the sex offender will be present.
27 Permission may be granted by the **local law enforcement agency and the** superintendent, school
28 board, or in the case of a private school from the principal for more than one event at a time,
29 such as a series of events, however, the parent, legal guardian, or custodian must obtain
30 permission for any other event he or she wishes to attend for which he or she has not yet had
31 permission granted.

32 3. Regardless of the person's knowledge of his or her proximity to school property or a
33 school-related activity, violation of the provisions of this section is a class A misdemeanor.

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