

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1016**  
**100TH GENERAL ASSEMBLY**

2142H.03C

DANA RADEMAN MILLER, Chief Clerk

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**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.

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Section A. Section 566.149, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.149, to read as follows: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

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 ~~[superintendent or]~~ school  
24 board or in the case of a private school from the principal **after either the school board or the**  
25 **principal consults with the local law enforcement agency.** In the case of a public school, if  
26 permission is granted, the superintendent or school board president must inform the principal of  
27 the school where the sex offender will be present. Permission may be granted ~~[by the~~  
28 ~~superintendent, school board, or in the case of a private school from the principal]~~ **as permitted**  
29 **by this subsection** for more than one event at a time, such as a series of events, however, the  
30 parent, legal guardian, or custodian must obtain permission for any other event he or she wishes  
31 to attend for which he or she has not yet had permission granted.

32           3. **For purposes of this section, the local law enforcement agency shall be the**  
33 **custodian of the sex offender registry within the jurisdiction that contains the majority of**  
34 **the school district.**

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

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