

FIRST REGULAR SESSION

# HOUSE BILL NO. 1151

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE EVANS.

2347H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal sections 589.400, 589.401, and 589.414, RSMo, and to enact in lieu thereof three new sections relating to the registration of sexual offenders.

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

Section A. Sections 589.400, 589.401, and 589.414, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 589.400, 589.401, and 589.414, to read as follows:

589.400. 1. Sections 589.400 to 589.425 shall apply to:

(1) Any person who, since July 1, 1979, has been or is hereafter adjudicated for an offense referenced in section 589.414, unless such person is exempt from registering under subsection 9 or 10 of this section or section 589.401;

(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping or kidnapping in the first degree when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint or kidnapping in the second degree when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home or sexual conduct with a nursing facility resident or vulnerable person in the first or second degree; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in

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.

17 the first degree; promoting child pornography in the second degree; possession of child  
18 pornography; furnishing pornographic material to minors; public display of explicit sexual  
19 material; coercing acceptance of obscene material; promoting obscenity in the first degree;  
20 promoting pornography for minors or obscenity in the second degree; incest; use of a child in a  
21 sexual performance; or promoting sexual performance by a child; patronizing prostitution if the  
22 individual the person patronizes is less than eighteen years of age;

23 (3) Any person who, since July 1, 1979, has been committed to the department of mental  
24 health as a criminal sexual psychopath;

25 (4) Any person who, since July 1, 1979, has been found not guilty as a result of mental  
26 disease or defect of any offense referenced in section 589.414;

27 (5) Any juvenile certified as an adult and transferred to a court of general jurisdiction  
28 who has been adjudicated for an offense listed under section 589.414;

29 (6) Any juvenile fourteen years of age or older at the time of the offense who has been  
30 adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under  
31 18 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

32 (7) Any person who is a resident of this state who has, since July 1, 1979, been or is  
33 hereafter adjudicated in any other state, territory, the District of Columbia, or foreign country,  
34 or under federal, tribal, or military jurisdiction for an offense which, if committed in this state,  
35 would constitute an offense listed under section 589.414, or has been or is required to register  
36 in another state, territory, the District of Columbia, or foreign country, or has been or is required  
37 to register under tribal, federal, or military law; or

38 (8) Any person who has been or is required to register in another state, territory, the  
39 District of Columbia, or foreign country, or has been or is required to register under tribal,  
40 federal, or military law and who works or attends an educational institution, whether public or  
41 private in nature, including any secondary school, trade school, professional school, or institution  
42 of higher education on a full-time or on a part-time basis or has a temporary residence in  
43 Missouri. "Part-time" in this subdivision means for more than seven days in any twelve-month  
44 period.

45 2. Any person to whom sections 589.400 to 589.425 apply shall, within three business  
46 days of adjudication, release from incarceration, or placement upon probation, register with the  
47 chief law enforcement official of the county or city not within a county in which such person  
48 resides unless such person has already registered in that county for the same offense. For any  
49 juvenile under subdivision (6) of subsection 1 of this section, within three business days of  
50 adjudication or release from commitment to the division of youth services, the department of  
51 mental health, or other placement, such juvenile shall register with the chief law enforcement  
52 official of the county or city not within a county in which he or she resides unless he or she has

53 already registered in such county or city not within a county for the same offense. Any person  
54 to whom sections 589.400 to 589.425 apply if not currently registered in their county of  
55 residence shall register with the chief law enforcement official of such county or city not within  
56 a county within three business days. The chief law enforcement official shall forward a copy of  
57 the registration form required by section 589.407 to a city, town, village, or campus law  
58 enforcement agency located within the county of the chief law enforcement official.

59 3. The registration requirements of sections 589.400 through 589.425 shall be as  
60 provided under subsection 4 of this section unless:

61 (1) All offenses requiring registration are reversed, vacated, or set aside; **or**

62 (2) ~~[(The registrant is no longer required to register and his or her name shall be removed~~  
63 ~~from the registry under the provisions of section 589.414; or~~

64 ~~———(3)]~~ The court orders the removal or exemption of such person from the registry under  
65 section 589.401.

66 4. The registration requirements shall be as follows:

67 (1) Fifteen years if the offender is a tier I sex offender as provided under section  
68 589.414;

69 (2) Twenty-five years if the offender is a tier II sex offender as provided under section  
70 589.414; or

71 (3) The life of the offender if the offender is a tier III sex offender.

72 5. (1) The registration period shall be reduced as described in subdivision (3) of this  
73 subsection for a sex offender who maintains a clean record for the periods described under  
74 subdivision (2) of this subsection by:

75 (a) Not being adjudicated of any offense for which imprisonment for more than one year  
76 may be imposed;

77 (b) Not being adjudicated of any sex offense;

78 (c) Successfully completing any periods of supervised release, probation, or parole; and

79 (d) Successfully completing an appropriate sex offender treatment program certified by  
80 the attorney general.

81 (2) In the case of a:

82 (a) Tier I sex offender, the period during which the clean record shall be maintained is  
83 ten years;

84 (b) Tier III sex offender adjudicated delinquent for the offense which required  
85 registration in a sex offender registry under sections 589.400 to 589.425, the period during which  
86 the clean record shall be maintained is twenty-five years.

87 (3) In the case of a:

88 (a) Tier I sex offender, the reduction is five years;

89 (b) Tier III sex offender adjudicated delinquent, the reduction is from life to that period  
90 for which the clean record under paragraph (b) of subdivision (2) of this subsection is  
91 maintained.

92 6. For processing an initial sex offender registration the chief law enforcement officer  
93 of the county or city not within a county may charge the offender registering a fee of up to ten  
94 dollars.

95 7. For processing any change in registration required pursuant to section 589.414 the  
96 chief law enforcement official of the county or city not within a county may charge the person  
97 changing their registration a fee of five dollars for each change made after the initial registration.

98 8. Any person currently on the sexual offender registry or who otherwise would be  
99 required to register for being adjudicated for the offense of felonious restraint of a nonsexual  
100 nature when the victim was a child and he or she was the parent or guardian of the child,  
101 nonsexual child abuse that was committed under section 568.060, or kidnapping of a nonsexual  
102 nature when the victim was a child and he or she was the parent or guardian of the child shall be  
103 removed from the registry. However, such person shall remain on the sexual offender registry  
104 for any other offense for which he or she is required to register under sections 589.400 to  
105 589.425.

106 9. The following persons shall be exempt from registering as a sexual offender upon  
107 petition to the court of jurisdiction under section 589.401; except that, such person shall remain  
108 on the sexual offender registry for any other offense for which he or she is required to register  
109 under sections 589.400 to 589.425:

110 (1) Any person currently on the sexual offender registry or who otherwise would be  
111 required to register for a sexual offense involving:

112 (a) Sexual conduct where no force or threat of force was directed toward the victim or  
113 any other individual involved, if the victim was an adult, unless the adult was under the custodial  
114 authority of the offender at the time of the offense; or

115 (b) Sexual conduct where no force or threat of force was directed toward the victim, the  
116 victim was at least fourteen years of age, and the offender was not more than four years older  
117 than the victim at the time of the offense; or

118 (2) Any person currently required to register for the following sexual offenses:

119 (a) Promoting obscenity in the first degree under section 573.020;

120 (b) Promoting obscenity in the second degree under section 573.030;

121 (c) Furnishing pornographic materials to minors under section 573.040;

122 (d) Public display of explicit sexual material under section 573.060;

123 (e) Coercing acceptance of obscene material under section 573.065;

124 (f) Trafficking for the purpose of slavery, involuntary servitude, peonage, or forced labor  
125 under section 566.206;

126 (g) Abusing an individual through forced labor under section 566.203;

127 (h) Contributing to human trafficking through the misuse of documentation under section  
128 566.215; or

129 (i) Acting as an international marriage broker and failing to provide the information and  
130 notice as required under section 578.475.

131 10. Any person currently on the sexual offender registry for having been adjudicated for  
132 a tier I or II offense or adjudicated delinquent for a tier III offense or other comparable offenses  
133 listed under section 589.414 may file a petition under section 589.401.

134 11. Any nonresident worker, including work as a volunteer or intern, or nonresident  
135 student shall register for the duration of such person's employment, including participation as a  
136 volunteer or intern, or attendance at any school of higher education whether public or private,  
137 including any secondary school, trade school, professional school, or institution of higher  
138 education on a full-time or part-time basis in this state unless granted relief under section  
139 589.401. Any registered offender shall provide information regarding any place in which the  
140 offender is staying when away from his or her residence for seven or more days, including the  
141 period of time the offender is staying in such place. Any registered offender from another state  
142 who has a temporary residence in this state and resides more than seven days in a twelve-month  
143 period shall register for the duration of such person's temporary residency unless granted relief  
144 under section 589.401.

589.401. 1. A person on the sexual offender registry may file a petition in the division  
2 of the circuit court in the county or city not within a county in which the offense requiring  
3 registration was committed to have his or her name removed from the sexual offender registry.

4 2. A person who is required to register in this state because of an offense that was  
5 adjudicated in another jurisdiction shall file his or her petition for removal according to the laws  
6 of the state, **federal**, territory, tribal, or military jurisdiction, the District of Columbia, or foreign  
7 country in which his or her offense was adjudicated. Upon the grant of the petition for removal  
8 in the jurisdiction where the offense was adjudicated, such judgment may be registered in this  
9 state by sending the information required under subsection 5 of this section as well as one  
10 authenticated copy of the order granting removal from the sexual offender registry in the  
11 jurisdiction where the offense was adjudicated to the court in the county or city not within a  
12 county in which the offender is required to register. On receipt of a request for registration  
13 removal, the registering court shall cause the order to be filed as a foreign judgment, together  
14 with one copy of the documents and information, regardless of their form. The petitioner shall  
15 be responsible for costs associated with filing the petition.

16           3. A person required to register as a tier III offender shall not file a petition under this  
17 section unless the requirement to register results from a juvenile adjudication.

18           4. The petition shall be dismissed without prejudice if the following time periods have  
19 not elapsed since the date the person was required to register for his or her most recent offense  
20 under sections 589.400 to 589.425:

21           (1) For a tier I offense, ten years;

22           (2) For a tier II offense, twenty-five years; or

23           (3) For a tier III offense adjudicated delinquent, twenty-five years.

24           5. The petition shall be dismissed without prejudice if it fails to include any of the  
25 following:

26           (1) The petitioner's:

27           (a) Full name, including any alias used by the individual;

28           (b) Sex;

29           (c) Race;

30           (d) Date of birth;

31           (e) Last four digits of the Social Security number;

32           (f) Address; and

33           (g) Place of employment, school, or volunteer status;

34           (2) The offense and tier of the offense that required the petitioner to register;

35           (3) The date the petitioner was adjudicated for the offense;

36           (4) The date the petitioner was required to register;

37           (5) The case number and court, including the county or city not within a county, that  
38 entered the original order for the adjudicated sex offense;

39           (6) Petitioner's fingerprints on an applicant fingerprint card;

40           (7) If the petitioner was pardoned or an offense requiring registration was reversed,  
41 vacated, or set aside, an authenticated copy of the order; and

42           (8) If the petitioner is currently registered under applicable law and has not been  
43 adjudicated for failure to register in any jurisdiction and does not have any charges pending for  
44 failure to register.

45           6. The petition shall name as respondents the Missouri state highway patrol and the chief  
46 law enforcement official in the county or city not within a county in which the petition is filed.

47           7. All proceedings under this section shall be governed under the Missouri supreme court  
48 rules of civil procedure.

49           8. The person seeking removal or exemption from the registry shall provide the  
50 prosecuting attorney in the circuit court in which the petition is filed with notice of the petition.  
51 The prosecuting attorney may present evidence in opposition to the requested relief or may

52 otherwise demonstrate the reasons why the petition should be denied. Failure of the person  
53 seeking removal or exemption from the registry to notify the prosecuting attorney of the petition  
54 shall result in an automatic denial of such person's petition.

55 9. The prosecuting attorney in the circuit court in which the petition is filed shall have  
56 access to all applicable records concerning the petitioner including, but not limited to, criminal  
57 history records, mental health records, juvenile records, and records of the department of  
58 corrections or probation and parole.

59 10. The prosecuting attorney shall make reasonable efforts to notify the victim of the  
60 crime for which the person was required to register of the petition and the dates and times of any  
61 hearings or other proceedings in connection with such petition.

62 11. The court shall not enter an order directing the removal of the petitioner's name from  
63 the sexual offender registry unless it finds the petitioner:

64 (1) Has not been adjudicated or does not have charges pending for any additional  
65 nonsexual offense for which imprisonment for more than one year may be imposed since the date  
66 the offender was required to register for his or her current tier level;

67 (2) Has not been adjudicated or does not have charges pending for any additional sex  
68 offense that would require registration under sections 589.400 to 589.425 since the date the  
69 offender was required to register for his or her current tier level, even if the offense was  
70 punishable by less than one year imprisonment;

71 (3) Has successfully completed any required periods of supervised release, probation,  
72 or parole without revocation since the date the offender was required to register for his or her  
73 current tier level;

74 (4) Has successfully completed an appropriate sex offender treatment program as  
75 approved by a court of competent jurisdiction or the Missouri department of corrections; and

76 (5) Is not a current or potential threat to public safety.

77 12. In order to meet the criteria required by subdivisions (1) and (2) of subsection 11 of  
78 this section, the fingerprints filed in the case shall be examined by the Missouri state highway  
79 patrol. The petitioner shall be responsible for all costs associated with the fingerprint-based  
80 criminal history check of both state and federal files under section 43.530.

81 13. If the petition is denied due to an adjudication in violation of subdivision (1) or (2)  
82 of subsection 11 of this section, the petitioner shall not file a new petition under this section  
83 until:

84 (1) Fifteen years have passed from the date of the adjudication resulting in the denial of  
85 relief if the petitioner is classified as a tier I offender;

86 (2) Twenty-five years have passed from the date of adjudication resulting in the denial  
87 of relief if the petitioner is classified as a tier II offender; or

88 (3) Twenty-five years have passed from the date of the adjudication resulting in the  
89 denial of relief if the petitioner is classified as a tier III offender on the basis of a juvenile  
90 adjudication.

91 14. If the petition is denied due to the petitioner having charges pending in violation of  
92 subdivision (1) or (2) of subsection 11 of this section, the petitioner shall not file a new petition  
93 under this section until:

94 (1) The pending charges resulting in the denial of relief have been finally disposed of in  
95 a manner other than adjudication; or

96 (2) If the pending charges result in an adjudication, the necessary time period has elapsed  
97 under subsection 13 of this section.

98 15. If the petition is denied for reasons other than those outlined in subsection 11 of this  
99 section, no successive petition requesting such relief shall be filed for at least five years from the  
100 date the judgment denying relief is entered.

101 16. If the court finds the petitioner is entitled to have his or her name removed from the  
102 sexual offender registry, the court shall enter judgment directing the removal of the name. A  
103 copy of the judgment shall be provided to the respondents named in the petition.

104 17. Any person subject to the judgment requiring his or her name to be removed from  
105 the sexual offender registry is not required to register under sections 589.400 to 589.425 unless  
106 such person is required to register for an offense that was different from that listed on the  
107 judgment of removal.

108 18. The court shall not deny the petition unless the petition failed to comply with the  
109 provisions of sections 589.400 to 589.425 or the prosecuting attorney provided evidence  
110 demonstrating the petition should be denied.

589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, within  
2 three business days, appear in person to the chief law enforcement officer of the county or city  
3 not within a county if there is a change to any of the following information:

4 (1) Name;

5 (2) Residence;

6 (3) Employment, including status as a volunteer or intern;

7 (4) Student status; or

8 (5) A termination to any of the items listed in this subsection.

9 2. Any person required to register under sections 589.400 to 589.425 shall, within three  
10 business days, notify the chief law enforcement official of the county or city not within a county  
11 of any changes to the following information:

12 (1) Vehicle information;

13 (2) Temporary lodging information;



14 (3) Temporary residence information;

15 (4) Email addresses, instant messaging addresses, and any other designations used in  
16 internet communications, postings, or telephone communications; or

17 (5) Telephone or other cellular number, including any new forms of electronic  
18 communication.

19 3. The chief law enforcement official in the county or city not within a county shall  
20 immediately forward the registration changes described under subsections 1 and 2 of this section  
21 to the Missouri state highway patrol within three business days.

22 4. If any person required by sections 589.400 to 589.425 to register changes such  
23 person's residence or address to a different county or city not within a county, the person shall  
24 appear in person and shall inform both the chief law enforcement official with whom the person  
25 last registered and the chief law enforcement official of the county or city not within a county  
26 having jurisdiction over the new residence or address in writing within three business days of  
27 such new address and phone number, if the phone number is also changed. If any person  
28 required by sections 589.400 to 589.425 to register changes his or her state, territory, the District  
29 of Columbia, or foreign country, or federal, tribal, or military jurisdiction of residence, the person  
30 shall appear in person and shall inform both the chief law enforcement official with whom the  
31 person was last registered and the chief law enforcement official of the area in the new state,  
32 territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction  
33 having jurisdiction over the new residence or address within three business days of such new  
34 address. Whenever a registrant changes residence, the chief law enforcement official of the  
35 county or city not within a county where the person was previously registered shall inform the  
36 Missouri state highway patrol of the change within three business days. When the registrant is  
37 changing the residence to a new state, territory, the District of Columbia, or foreign country, or  
38 federal, tribal, or military jurisdiction, the Missouri state highway patrol shall inform the  
39 responsible official in the new state, territory, the District of Columbia, or foreign country, or  
40 federal, tribal, or military jurisdiction of residence within three business days.

41 5. Tier I sexual offenders, in addition to the requirements of subsections 1 to 4 of this  
42 section, shall report in person to the chief law enforcement official annually in the month of their  
43 birth to verify the information contained in their statement made pursuant to section 589.407.  
44 Tier I sexual offenders include:

45 (1) Any offender who has been adjudicated for the offense of:

46 (a) Sexual abuse in the first degree under section 566.100 if the victim is eighteen years  
47 of age or older;

48 (b) ~~[Sexual misconduct involving a child under section 566.083 if it is a first offense and~~  
49 ~~the punishment is less than one year;~~

50 ~~——(e)~~ Sexual abuse in the second degree under section 566.101 ~~[if the punishment is less~~  
51 ~~than a year]~~ **if the offense is a misdemeanor;**

52       ~~[(d)]~~ **(c)** Kidnapping in the second degree under section 565.120 with sexual motivation;

53       ~~[(e)]~~ **(d)** Kidnapping in the third degree under section 565.130;

54       ~~[(f)]~~ **(e)** Sexual conduct with a nursing facility resident or vulnerable person in the first  
55 degree under section 566.115 ~~[if the punishment is less than one year]~~ **if the offense is a**  
56 **misdemeanor;**

57       ~~[(g)]~~ **(f)** Sexual conduct under section 566.116 with a nursing facility resident or  
58 vulnerable person;

59       ~~[(h)]~~ **(g)** Sexual ~~[contact]~~ **conduct** with a prisoner or offender under section 566.145 if  
60 the victim is eighteen years of age or older;

61       ~~[(i)]~~ **(h)** Sex with an animal under section 566.111;

62       ~~[(j)]~~ **(i)** Trafficking for the purpose of sexual exploitation under section 566.209 if the  
63 victim is eighteen years of age or older;

64       ~~[(k)]~~ **(j)** Possession of child pornography under section 573.037;

65       ~~[(l)]~~ **(k)** Sexual misconduct in the first degree under section 566.093;

66       ~~[(m)]~~ **(l)** Sexual misconduct in the second degree under section 566.095;

67       ~~[(n)]~~ **(m)** Child molestation in the second degree under section 566.068 as it existed prior  
68 to January 1, 2017, ~~[if the punishment is less than one year]~~ **if the offense is a misdemeanor;**  
69 **[or**

70 ~~——(o)]~~ **(n)** Invasion of privacy under section 565.252 if the victim is less than eighteen  
71 years of age;

72       **(o) Sexual contact with a student under section 566.086 if the victim is eighteen**  
73 **years of age or older;**

74       **(p) Sexual abuse in the first degree under section 566.100 if the victim is eighteen**  
75 **years of age or older;**

76       **(q) Kidnapping in the second degree under section 565.120;**

77       **(r) Kidnapping in the third degree under section 565.130;**

78       **(s) Sexual misconduct in the first degree under section 566.093; or**

79       **(t) Sexual misconduct in the second degree under section 566.095;**

80       **(2) Any offender who is or has been adjudicated in any other state, territory, the District**  
81 **of Columbia, or foreign country, or under federal, tribal, or military jurisdiction of an offense of**  
82 **a sexual nature or with a sexual element that is comparable to the tier I sexual offenses listed in**  
83 **this subsection or, if not comparable to those in this subsection, comparable to those described**  
84 **as tier I offenses under the Sex Offender Registration and Notification Act, Title I of the Adam**  
85 **Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.**

86           6. Tier II sexual offenders, in addition to the requirements of subsections 1 to 4 of this  
87 section, shall report semiannually in person in the month of their birth and six months thereafter  
88 to the chief law enforcement official to verify the information contained in their statement made  
89 pursuant to section 589.407. Tier II sexual offenders include:

90           (1) Any offender who has been adjudicated for the offense of:

91           (a) Statutory sodomy in the second degree under section 566.064 if the victim is sixteen  
92 to seventeen years of age;

93           (b) Child molestation in the third degree under section 566.069 if the victim is between  
94 thirteen and fourteen years of age;

95           (c) Sexual contact with a student under section 566.086 if the victim is thirteen to  
96 seventeen years of age;

97           (d) Enticement of a child under section 566.151;

98           (e) Abuse of a child under section 568.060 if the offense is of a sexual nature and the  
99 victim is thirteen to seventeen years of age;

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

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

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

103           (i) Patronizing prostitution under section 567.030;

104           (j) Sexual contact with a prisoner or offender under section 566.145 if the victim is  
105 thirteen to seventeen years of age;

106           (k) Child molestation in the fourth degree under section 566.071 if the victim is thirteen  
107 to seventeen years of age;

108           (l) Sexual misconduct involving a child under section 566.083 if it is a first offense **[and**  
109 ~~the penalty is a term of imprisonment of more than a year]; [or]~~

110           (m) Age misrepresentation with intent to solicit a minor under section 566.153; **or**

111           **(n) Sexual abuse in the first degree under section 566.100 if the victim is thirteen**  
112 **to seventeen years of age;**

113           (2) Any person who is adjudicated of an offense comparable to a tier I offense listed in  
114 this section or failure to register offense under section 589.425 or comparable out-of-state failure  
115 to register offense and who is already required to register as a tier I offender due to having been  
116 adjudicated of a tier I offense on a previous occasion; or

117           (3) Any person who is or has been adjudicated in any other state, territory, the District  
118 of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense  
119 of a sexual nature or with a sexual element that is comparable to the tier II sexual offenses listed  
120 in this subsection or, if not comparable to those in this subsection, comparable to those described

as tier II offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.

7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this section, shall report in person to the chief law enforcement official every ninety days to verify the information contained in their statement made under section 589.407. Tier III sexual offenders include:

(1) Any offender registered as a predatory sexual offender as defined in section ~~[566.123]~~ **566.125** or a persistent sexual offender as defined in section ~~[566.124]~~ **566.125**;

(2) Any offender who has been adjudicated for the crime of:

(a) Rape in the first degree under section 566.030;

(b) Statutory rape in the first degree under section 566.032;

(c) Rape in the second degree under section 566.031;

(d) Endangering the welfare of a child in the first degree under section 568.045 if the offense is sexual in nature;

(e) Sodomy in the first degree under section 566.060;

(f) Statutory sodomy under section 566.062;

(g) Statutory sodomy under section 566.064 if the victim is under sixteen years of age;

(h) Sodomy in the second degree under section 566.061;

(i) Sexual misconduct involving a child under section 566.083 if the offense is a second or subsequent offense;

(j) Sexual abuse in the first degree under section 566.100 if the victim is under thirteen years of age;

(k) Kidnapping in the first degree under section 565.110 if the victim is under eighteen years of age, excluding kidnapping by a parent or guardian;

(l) Child kidnapping under section 565.115;

(m) Sexual conduct with a nursing facility resident or vulnerable person in the first degree under section 566.115 ~~[if the punishment is greater than a year]~~ **if the offense is a felony**;

(n) Incest under section 568.020;

(o) Endangering the welfare of a child in the first degree under section 568.045 with sexual intercourse or deviate sexual intercourse with a victim under eighteen years of age;

(p) Child molestation in the first degree under section 566.067;

(q) Child molestation in the second degree under section 566.068;

(r) Child molestation in the third degree under section 566.069 if the victim is under thirteen years of age;

(s) Promoting prostitution in the first degree under section 567.050 if the victim is under eighteen years of age;

- 157 (t) Promoting prostitution in the second degree under section 567.060 if the victim is  
158 under eighteen years of age;
- 159 (u) Promoting prostitution in the third degree under section 567.070 if the victim is under  
160 eighteen years of age;
- 161 (v) Promoting travel for prostitution under section 567.085 if the victim is under  
162 eighteen years of age;
- 163 (w) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim  
164 is under eighteen years of age;
- 165 (x) Sexual trafficking of a child in the first degree under section 566.210;
- 166 (y) Sexual trafficking of a child in the second degree under section 566.211;
- 167 (z) Genital mutilation of a female child under section 568.065;
- 168 (aa) Statutory rape in the second degree under section 566.034;
- 169 (bb) Child molestation in the fourth degree under section 566.071 if the victim is under  
170 thirteen years of age;
- 171 (cc) Sexual abuse in the second degree under section 566.101 ~~[if the penalty is a term~~  
172 ~~of imprisonment of more than a year]~~ **if the offense is a felony;**
- 173 (dd) Patronizing prostitution under section 567.030 if the offender is a persistent  
174 offender;
- 175 (ee) Abuse of a child under section 568.060 if the offense is of a sexual nature and the  
176 victim is under thirteen years of age;
- 177 (ff) Sexual ~~[contact]~~ **conduct** with a prisoner or offender under section 566.145 if the  
178 victim is under thirteen years of age;
- 179 (gg) Sexual ~~[intercourse]~~ **conduct** with a prisoner or offender under section 566.145;
- 180 (hh) Sexual contact with a student under section 566.086 if the victim is under thirteen  
181 years of age;
- 182 (ii) Use of a child in a sexual performance under section 573.200; ~~[or]~~
- 183 (jj) Promoting a sexual performance by a child under section 573.205; **or**
- 184 **(kk) Sexual abuse in the first degree under section 566.100 if the victim is less than**  
185 **thirteen years of age;**
- 186 (3) Any offender who is adjudicated for a crime comparable to a tier I or tier II offense  
187 listed in this section or failure to register offense under section 589.425, or other comparable  
188 out-of-state failure to register offense, who has been or is already required to register as a tier II  
189 offender because of having been adjudicated for a tier II offense, two tier I offenses, or  
190 combination of a tier I offense and failure to register offense, on a previous occasion;
- 191 (4) Any offender who is adjudicated in any other state, territory, the District of  
192 Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of

193 a sexual nature or with a sexual element that is comparable to a tier III offense listed in this  
194 section or a tier III offense under the Sex Offender Registration and Notification Act, Title I of  
195 the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248; or

196 (5) Any offender who is adjudicated in Missouri for any offense of a sexual nature  
197 requiring registration under sections 589.400 to 589.425 that is not classified as a tier I or tier II  
198 offense in this section.

199 8. In addition to the requirements of subsections 1 to 7 of this section, all Missouri  
200 registrants who work, including as a volunteer or unpaid intern, or attend any school whether  
201 public or private, including any secondary school, trade school, professional school, or institution  
202 of higher education, on a full-time or part-time basis or have a temporary residence in this state  
203 shall be required to report in person to the chief law enforcement officer in the area of the state  
204 where they work, including as a volunteer or unpaid intern, or attend any school or training and  
205 register in that state. "Part-time" in this subsection means for more than seven days in any  
206 twelve-month period.

207 9. If a person who is required to register as a sexual offender under sections 589.400 to  
208 589.425 changes or obtains a new online identifier as defined in section 43.651, the person shall  
209 report such information in the same manner as a change of residence before using such online  
210 identifier.

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