

SECOND REGULAR SESSION

HOUSE BILL NO. 1706

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MYERS.

3338H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 190.142, 198.082, 211.326, 337.618, 491.075, 492.304, 566.151, 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, 567.030, and 590.050, RSMo, and to enact in lieu thereof eighteen new sections relating to the protection of children and vulnerable persons, with penalty provisions.

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

Section A. Sections 190.142, 198.082, 211.326, 337.618, 491.075, 492.304, 566.151, 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, 567.030, and 590.050, RSMo, are repealed and eighteen new sections enacted in lieu thereof, to be known as sections 27.170, 190.142, 198.082, 211.326, 335.059, 337.618, 491.075, 492.304, 566.151, 566.203, 566.206, 566.209, 566.210, 566.211, 566.215, 567.030, 589.700, and 590.050, to read as follows:

- 27.170. 1. There is hereby established the "Committee on Sex and Human Trafficking Training".**
- 2. The committee shall consist of the following members:**
- (1) A representative of the attorney general's office who is involved in the office's anti-trafficking efforts appointed by the attorney general;**
 - (2) A representative of the department of public safety with experience in human trafficking investigations appointed by the director of the department of public safety;**
 - (3) A representative from a child advocacy center appointed by the director of a statewide nonprofit organization that advocates for the protection of children;**
 - (4) A juvenile officer appointed by the state courts administrator;**
 - (5) A representative from an agency providing victim services appointed by the director of the department of social services; and**

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.

13 **(6) A representative from a child abuse medical resource center, as defined in**
14 **section 334.950, appointed by the director of the department of health and senior**
15 **services.**

16 **3. The member who represents the attorney general's office shall serve as chair**
17 **of the committee.**

18 **4. Members of the committee shall serve without compensation but may be**
19 **reimbursed for actual expenses necessary to the performance of their official duties for**
20 **the committee.**

21 **5. The committee shall annually evaluate, and establish guidelines for, the sex**
22 **and human trafficking training required under sections 190.142, 198.082, 211.326,**
23 **335.059, 337.618, and 590.050.**

24 **6. The provisions of this section shall expire on August 28, 2029.**

 190.142. 1. (1) For applications submitted before the recognition of EMS personnel
2 licensure interstate compact under sections 190.900 to 190.939 takes effect, the department
3 shall, within a reasonable time after receipt of an application, cause such investigation as it
4 deems necessary to be made of the applicant for an emergency medical technician's license.

5 (2) For applications submitted after the recognition of EMS personnel licensure
6 interstate compact under sections 190.900 to 190.939 takes effect, an applicant for initial
7 licensure as an emergency medical technician in this state shall submit to a background check
8 by the Missouri state highway patrol and the Federal Bureau of Investigation through a
9 process approved by the department of health and senior services. Such processes may
10 include the use of vendors or systems administered by the Missouri state highway patrol. The
11 department may share the results of such a criminal background check with any emergency
12 services licensing agency in any member state, as that term is defined under section 190.900,
13 in recognition of the EMS personnel licensure interstate compact. The department shall not
14 issue a license until the department receives the results of an applicant's criminal background
15 check from the Missouri state highway patrol and the Federal Bureau of Investigation, but,
16 notwithstanding this subsection, the department may issue a temporary license as provided
17 under section 190.143. Any fees due for a criminal background check shall be paid by the
18 applicant.

19 (3) The director may authorize investigations into criminal records in other states for
20 any applicant.

21 2. The department shall issue a license to all levels of emergency medical technicians,
22 for a period of five years, if the applicant meets the requirements established pursuant to
23 sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections
24 190.001 to 190.245. The department may promulgate rules relating to the requirements for an
25 emergency medical technician including but not limited to:

26 (1) Age requirements;

27 (2) Emergency medical technician and paramedic education and training
28 requirements based on respective National Emergency Medical Services Education
29 Standards and any modification to such curricula specified by the department through rules
30 adopted pursuant to sections 190.001 to 190.245;

31 (3) Paramedic accreditation requirements. Paramedic training programs shall be
32 accredited as required by the National Registry of Emergency Medical Technicians;

33 (4) Initial licensure testing requirements. Initial paramedic licensure testing shall be
34 through the national registry of EMTs;

35 (5) Continuing education and relicensure requirements. **The department shall**
36 **require each emergency medical technician, including each paramedic, to receive five**
37 **hours of sex and human trafficking training consistent with the guidelines established in**
38 **section 27.170 as part of the continuing education requirements for relicensure every**
39 **five years; and**

40 (6) Ability to speak, read and write the English language.

41 3. Application for all levels of emergency medical technician license shall be made
42 upon such forms as prescribed by the department in rules adopted pursuant to sections
43 190.001 to 190.245. The application form shall contain such information as the department
44 deems necessary to make a determination as to whether the emergency medical technician
45 meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to
46 sections 190.001 to 190.245.

47 4. All levels of emergency medical technicians may perform only that patient care
48 which is:

49 (1) Consistent with the training, education and experience of the particular emergency
50 medical technician; and

51 (2) Ordered by a physician or set forth in protocols approved by the medical director.

52 5. No person shall hold themselves out as an emergency medical technician or
53 provide the services of an emergency medical technician unless such person is licensed by the
54 department.

55 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is
56 created under the authority delegated in this section shall become effective only if it complies
57 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
58 This section and chapter 536 are nonseverable and if any of the powers vested with the
59 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
60 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
61 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid
62 and void.

198.082. 1. Each certified nursing assistant hired to work in a skilled nursing or
2 intermediate care facility after January 1, 1980, shall have successfully completed a nursing
3 assistant training program approved by the department or shall enroll in and begin the first
4 available approved training program which is scheduled to commence within ninety days of
5 the date of the certified nursing assistant's employment and which shall be completed within
6 four months of employment. Training programs shall be offered at any facility licensed by
7 the department of health and senior services; any skilled nursing or intermediate care unit in a
8 Missouri veterans home, as defined in section 42.002; or any hospital, as defined in section
9 197.020. Training programs shall be reasonably accessible to the enrollees in each class. The
10 program may be established by a skilled nursing or intermediate care facility, unit, or hospital;
11 by a professional organization; or by the department, and training shall be given by the
12 personnel of the facility, unit, or hospital; by a professional organization; by the department;
13 by any community college; or by the vocational education department of any high school.

14 2. As used in this section the term "certified nursing assistant" means an employee
15 who has completed the training required under subsection 1 of this section, who has passed
16 the certification exam, and who is assigned by a skilled nursing or intermediate care facility,
17 unit, or hospital to provide or assist in the provision of direct resident health care services
18 under the supervision of a nurse licensed under the nursing practice law, chapter 335.

19 3. This section shall not apply to any person otherwise regulated or licensed to
20 perform health care services under the laws of this state. It shall not apply to volunteers or to
21 members of religious or fraternal orders which operate and administer the facility, if such
22 volunteers or members work without compensation.

23 4. The training program requirements shall be defined in regulation by the department
24 and shall require at least seventy-five classroom hours of training and one hundred hours
25 supervised and on-the-job training. On-the-job training sites shall include supervised
26 practical training in a laboratory or other setting in which the trainee demonstrates knowledge
27 while performing tasks on an individual under the direct supervision of a registered nurse or a
28 licensed practical nurse. The training shall be completed within four months of employment
29 and may consist of normal employment as nurse assistants or hospital nursing support staff
30 under the supervision of a licensed nurse.

31 5. Certified nursing assistants who have not successfully completed the nursing
32 assistant training program prior to employment may begin duties as a certified nursing
33 assistant and may provide direct resident care only if under the direct supervision of a
34 licensed nurse prior to completion of the seventy-five classroom hours of the training
35 program.

36 6. The competency evaluation shall be performed in a facility, as defined in 42 CFR
37 Sec. 483.5, or laboratory setting comparable to the setting in which the individual shall
38 function as a certified nursing assistant.

39 7. Persons completing the training requirements of unlicensed assistive personnel
40 under 19 CSR 30-20.125 or its successor regulation, and who have completed the competency
41 evaluation, shall be allowed to sit for the certified nursing assistant examination and be
42 deemed to have fulfilled the classroom and clinical standards for designation as a certified
43 nursing assistant.

44 8. The department of health and senior services may offer additional training
45 programs and certifications to students who are already certified as nursing assistants
46 according to regulations promulgated by the department and curriculum approved by the
47 board.

48 **9. Each certified nursing assistant shall annually complete one hour of sex and**
49 **human trafficking training consistent with the guidelines established in section 27.170.**

211.326. 1. The state courts administrator shall:

2 (1) Evaluate existing services by establishing performance standards including
3 performance standards for juvenile courts receiving diversion funds;

4 (2) Develop standards for orientation training for all new juvenile court professional
5 personnel, including juvenile officers, deputy juvenile officers and other personnel deemed
6 necessary by the state courts administrator;

7 (3) Develop standards for continuing education for existing juvenile court
8 professional personnel, including juvenile officers, deputy juvenile officers and other
9 personnel deemed necessary by the state courts administrator;

10 (4) Develop a process to evaluate services and collect relevant outcome data;

11 (5) Develop a standardized assessment form for classifying juvenile offenders; and

12 (6) Develop guidelines for juvenile court judges to use in determining the length of
13 time a child may be detained prior to informal adjustment or formal adjudication.

14 2. Standards, training and assessment forms developed pursuant to subsection 1 of
15 this section shall be developed considering racial disparities in the juvenile justice system.

16 **3. Continuing education standards established under subdivision (3) of**
17 **subsection 1 of this section shall include a requirement that each juvenile officer**
18 **annually completes one hour of sex and human trafficking training consistent with the**
19 **guidelines established in section 27.170.**

335.059. Each registered nurse, licensed practical nurse, and advanced practice
2 **registered nurse licensed under this chapter shall annually complete one hour of sex and**
3 **human trafficking training consistent with the guidelines established in section 27.170.**

337.618. Each license issued pursuant to the provisions of sections 337.600 to 2 337.689 shall expire on a renewal date established by the director. The term of licensure shall 3 be twenty-four months. The committee shall require a minimum number of thirty clock hours 4 of continuing education for renewal of a license issued pursuant to sections 337.600 to 5 337.689, including two hours of suicide assessment, referral, treatment, and management 6 training **and two hours of sex and human trafficking training consistent with the** 7 **guidelines established in section 27.170.** The committee shall renew any license upon 8 application for a renewal, completion of the required continuing education hours and upon 9 payment of the fee established by the committee pursuant to the provisions of section 10 337.612. As provided by rule, the board may waive or extend the time requirements for 11 completion of continuing education for reasons related to health, military service, foreign 12 residency, or for other good cause. All requests for waivers or extensions of time shall be 13 made in writing and submitted to the board before the renewal date.

491.075. 1. A statement made by a child under the age of [~~fourteen~~] **eighteen**, or a 2 vulnerable person, relating to an offense under chapter 565, 566, 568 or 573, performed by 3 another, not otherwise admissible by statute or court rule, is admissible in evidence in 4 criminal proceedings in the courts of this state as substantive evidence to prove the truth of 5 the matter asserted if:

6 (1) The court finds, in a hearing conducted outside the presence of the jury that the 7 time, content and circumstances of the statement provide sufficient indicia of reliability; and 8 (2) (a) The child or vulnerable person testifies at the proceedings; or 9 (b) The child or vulnerable person is unavailable as a witness; or 10 (c) The child or vulnerable person is otherwise physically available as a witness but 11 the court finds that the significant emotional or psychological trauma which would result 12 from testifying in the personal presence of the defendant makes the child or vulnerable person 13 unavailable as a witness at the time of the criminal proceeding.

14 2. Notwithstanding subsection 1 of this section or any provision of law or rule of 15 evidence requiring corroboration of statements, admissions or confessions of the defendant, 16 and notwithstanding any prohibition of hearsay evidence, a statement by a child when under 17 the age of [~~fourteen~~] **eighteen**, or a vulnerable person, who is alleged to be victim of an 18 offense under chapter 565, 566, 568 or 573 is sufficient corroboration of a statement, 19 admission or confession regardless of whether or not the child or vulnerable person is 20 available to testify regarding the offense.

21 3. A statement may not be admitted under this section unless the prosecuting attorney 22 makes known to the accused or the accused's counsel his or her intention to offer the 23 statement and the particulars of the statement sufficiently in advance of the proceedings to

24 provide the accused or the accused's counsel with a fair opportunity to prepare to meet the
25 statement.

26 4. Nothing in this section shall be construed to limit the admissibility of statements,
27 admissions or confessions otherwise admissible by law.

28 5. For the purposes of this section, "vulnerable person" shall mean a person who, as a
29 result of an inadequately developed or impaired intelligence or a psychiatric disorder that
30 materially affects ability to function, lacks the mental capacity to consent, or whose
31 developmental level does not exceed that of an ordinary child of ~~fourteen~~ **seventeen** years
32 of age.

492.304. 1. In addition to the admissibility of a statement under the provisions of
2 section 492.303, the visual and aural recording of a verbal or nonverbal statement of a child
3 when under the age of ~~fourteen who is alleged to be a victim of~~ **eighteen, or a vulnerable**
4 **person, relating to** an offense under the provisions of chapter 565, 566 ~~or~~, 568, **or 573, if**
5 **performed by another**, is admissible into evidence if:

6 (1) No attorney for either party was present when the statement was made; except
7 that, for any statement taken at a state-funded child assessment center as provided for in
8 subsection 2 of section 210.001, an attorney representing the state of Missouri in a criminal
9 investigation may, as a member of a multidisciplinary investigation team, observe the taking
10 of such statement, but such attorney shall not be present in the room where the interview is
11 being conducted;

12 (2) The recording is both visual and aural and is recorded on film or videotape or by
13 other electronic means;

14 (3) The recording equipment was capable of making an accurate recording, the
15 operator of the equipment was competent, and the recording is accurate and has not been
16 altered;

17 (4) The statement was not made in response to questioning calculated to lead the child
18 **or vulnerable person** to make a particular statement or to act in a particular way;

19 (5) Every voice on the recording is identified;

20 (6) The person conducting the interview of the child **or vulnerable person** in the
21 recording, **or a current employee of a child assessment center if a child was recorded**, is
22 present at the proceeding and available to testify or be cross-examined by either party; and

23 (7) The defendant or the attorney for the defendant is afforded an opportunity to view
24 the recording before it is offered into evidence.

25 2. If the child **or vulnerable person** does not testify at the proceeding, the visual and
26 aural recording of a verbal or nonverbal statement of the child **or vulnerable person** shall not
27 be admissible under this section unless the recording qualifies for admission under section
28 491.075.

29 3. If the visual and aural recording of a verbal or nonverbal statement of a child **or**
30 **vulnerable person** is admissible under this section and the child **or vulnerable person**
31 testifies at the proceeding, it shall be admissible in addition to the testimony of the child **or**
32 **vulnerable person** at the proceeding whether or not it repeats or duplicates the child's **or**
33 **vulnerable person's** testimony.

34 4. As used in this section, a nonverbal statement shall be defined as any
35 demonstration of the child **or vulnerable person** by his or her actions, facial expressions,
36 demonstrations with a doll or other visual aid whether or not this demonstration is
37 accompanied by words.

38 **5. For the purposes of this section, "vulnerable person" shall mean a person**
39 **who, as a result of an inadequately developed or impaired intelligence or a psychiatric**
40 **disorder that materially affects the ability to function, lacks the mental capacity to**
41 **consent, or whose developmental level does not exceed that of an ordinary child of**
42 **seventeen years of age.**

566.151. 1. A person twenty-one years of age or older commits the offense of
2 enticement of a child if he or she persuades, solicits, coaxes, entices, or lures whether by
3 words, actions or through communication via the internet or any electronic communication,
4 any person who is less than ~~fifteen~~ **seventeen** years of age for the purpose of engaging in
5 sexual conduct.

6 2. It is not a defense to a prosecution for a violation of this section that the other
7 person was a peace officer masquerading as a minor.

8 3. Enticement of a child or an attempt to commit enticement of a child is a felony for
9 which the authorized term of imprisonment shall be not less than five years and not more than
10 thirty years. No person convicted under this section shall be eligible for parole, probation,
11 conditional release, or suspended imposition or execution of sentence for a period of five
12 calendar years.

566.203. 1. A person commits the offense of abusing an individual through forced
2 labor by knowingly providing or obtaining the labor or services of a person:

3 (1) By causing or threatening to cause serious physical injury to any person;

4 (2) By physically restraining or threatening to physically restrain another person;

5 (3) By blackmail;

6 (4) By means of any scheme, plan, or pattern of behavior intended to cause such
7 person to believe that, if the person does not perform the labor services, the person or another
8 person will suffer serious physical injury, physical restraint, or financial harm; or

9 (5) By means of the abuse or threatened abuse of the law or the legal process.

10 2. A person who is found guilty of the crime of abuse through forced labor shall not
11 be required to register as a sexual offender pursuant to the provisions of section 589.400,
12 unless such person is otherwise required to register pursuant to the provisions of such section.

13 3. The offense of abuse through forced labor is a felony punishable by imprisonment
14 for a term of years not less than five years and not more than twenty years and a fine not to
15 exceed two hundred fifty thousand dollars. If death results from a violation of this section, or
16 if the violation includes kidnapping or an attempt to kidnap, sexual abuse when punishable as
17 a class B felony, or an attempt to commit sexual abuse when punishable as a class B felony, or
18 an attempt to kill, it shall be punishable for a term of years not less than five years or life and
19 a fine not to exceed two hundred fifty thousand dollars.

20 **4. In addition to any fine imposed, the court shall enter a judgment of restitution**
21 **in the amount of five thousand dollars in favor of the state of Missouri, payable to the**
22 **human trafficking and sexual exploitation fund established under section 589.700, upon**
23 **a plea of guilty or a finding of guilt for a violation of this section.**

 566.206. 1. A person commits the offense of trafficking for the purposes of slavery,
2 involuntary servitude, peonage, or forced labor if he or she knowingly recruits, entices,
3 harbors, transports, provides, or obtains by any means, including but not limited to through
4 the use of force, abduction, coercion, fraud, deception, blackmail, or causing or threatening to
5 cause financial harm, another person for labor or services, for the purposes of slavery,
6 involuntary servitude, peonage, or forced labor, or benefits, financially or by receiving
7 anything of value, from participation in such activities.

8 2. A person who is found guilty of the offense of trafficking for the purposes of
9 slavery, involuntary servitude, peonage, or forced labor shall not be required to register as a
10 sexual offender pursuant to the provisions of section 589.400, unless he or she is otherwise
11 required to register pursuant to the provisions of such section.

12 3. Except as provided in subsection 4 of this section, the offense of trafficking for the
13 purposes of slavery, involuntary servitude, peonage, or forced labor is a felony punishable by
14 imprisonment for a term of years not less than five years and not more than twenty years and
15 a fine not to exceed two hundred fifty thousand dollars.

16 4. If death results from a violation of this section, or if the violation includes
17 kidnapping or an attempt to kidnap, sexual abuse when punishable as a class B felony or an
18 attempt to commit sexual abuse when the sexual abuse attempted is punishable as a class B
19 felony, or an attempt to kill, it shall be punishable by imprisonment for a term of years not
20 less than five years or life and a fine not to exceed two hundred fifty thousand dollars.

21 **5. In addition to any fine imposed, the court shall enter a judgment of restitution**
22 **in the amount of five thousand dollars in favor of the state of Missouri, payable to the**

23 **human trafficking and sexual exploitation fund established under section 589.700, upon**
24 **a plea of guilty or a finding of guilt for a violation of this section.**

566.209. 1. A person commits the crime of trafficking for the purposes of sexual
2 exploitation if a person knowingly recruits, entices, harbors, transports, provides, advertises
3 the availability of or obtains by any means, including but not limited to through the use of
4 force, abduction, coercion, fraud, deception, blackmail, or causing or threatening to cause
5 financial harm, another person for the use or employment of such person in a commercial sex
6 act, sexual conduct, a sexual performance, or the production of explicit sexual material as
7 defined in section 573.010, without his or her consent, or benefits, financially or by receiving
8 anything of value, from participation in such activities.

9 2. The crime of trafficking for the purposes of sexual exploitation is a felony
10 punishable by imprisonment for a term of years not less than five years and not more than
11 twenty years and a fine not to exceed two hundred fifty thousand dollars. If a violation of
12 this section was effected by force, abduction, or coercion, the crime of trafficking for the
13 purposes of sexual exploitation is a felony punishable by imprisonment for a term of years not
14 less than ten years or life and a fine not to exceed two hundred fifty thousand dollars.

15 **3. In addition to any fine imposed, the court shall enter a judgment of restitution**
16 **in the amount of five thousand dollars in favor of the state of Missouri, payable to the**
17 **human trafficking and sexual exploitation fund established under section 589.700, upon**
18 **a plea of guilty or a finding of guilt for a violation of this section.**

566.210. 1. A person commits the offense of sexual trafficking of a child in the first
2 degree if he or she knowingly:

3 (1) Recruits, entices, harbors, transports, provides, or obtains by any means, including
4 but not limited to through the use of force, abduction, coercion, fraud, deception, blackmail,
5 or causing or threatening to cause financial harm, a person under the age of twelve to
6 participate in a commercial sex act, a sexual performance, or the production of explicit sexual
7 material as defined in section 573.010, or benefits, financially or by receiving anything of
8 value, from participation in such activities;

9 (2) Causes a person under the age of twelve to engage in a commercial sex act, a
10 sexual performance, or the production of explicit sexual material as defined in section
11 573.010; or

12 (3) Advertises the availability of a person under the age of twelve to participate in a
13 commercial sex act, a sexual performance, or the production of explicit sexual material as
14 defined in section 573.010.

15 2. It shall not be a defense that the defendant believed that the person was twelve
16 years of age or older.

17 3. The offense of sexual trafficking of a child in the first degree is a felony for which
18 the authorized term of imprisonment is life imprisonment without eligibility for probation or
19 parole until the offender has served not less than twenty-five years of such sentence.
20 Subsection 4 of section 558.019 shall not apply to the sentence of a person who has been
21 found guilty of sexual trafficking of a child less than twelve years of age, and "life
22 imprisonment" shall mean imprisonment for the duration of a person's natural life for the
23 purposes of this section.

24 **4. In addition to any fine imposed, the court shall enter a judgment of restitution**
25 **in the amount of five thousand dollars in favor of the state of Missouri, payable to the**
26 **human trafficking and sexual exploitation fund established under section 589.700, upon**
27 **a plea of guilty or a finding of guilt for a violation of this section.**

 566.211. 1. A person commits the offense of sexual trafficking of a child in the
2 second degree if he or she knowingly:

3 (1) Recruits, entices, harbors, transports, provides, or obtains by any means, including
4 but not limited to through the use of force, abduction, coercion, fraud, deception, blackmail,
5 or causing or threatening to cause financial harm, a person under the age of eighteen to
6 participate in a commercial sex act, a sexual performance, or the production of explicit sexual
7 material as defined in section 573.010, or benefits, financially or by receiving anything of
8 value, from participation in such activities;

9 (2) Causes a person under the age of eighteen to engage in a commercial sex act, a
10 sexual performance, or the production of explicit sexual material as defined in section
11 573.010; or

12 (3) Advertises the availability of a person under the age of eighteen to participate in a
13 commercial sex act, a sexual performance, or the production of explicit sexual material as
14 defined in section 573.010.

15 2. It shall not be a defense that the defendant believed that the person was eighteen
16 years of age or older.

17 3. The offense of sexual trafficking of a child in the second degree is a felony
18 punishable by imprisonment for a term of years not less than ten years or life and a fine not to
19 exceed two hundred fifty thousand dollars if the child is under the age of eighteen. If a
20 violation of this section was effected by force, abduction, or coercion, the crime of sexual
21 trafficking of a child shall be a felony for which the authorized term of imprisonment is life
22 imprisonment without eligibility for probation or parole until the defendant has served not
23 less than twenty-five years of such sentence.

24 **4. In addition to any fine imposed, the court shall enter a judgment of restitution**
25 **in the amount of five thousand dollars in favor of the state of Missouri, payable to the**

26 **human trafficking and sexual exploitation fund established under section 589.700, upon**
27 **a plea of guilty or a finding of guilt for a violation of this section.**

566.215. 1. A person commits the offense of contributing to human trafficking
2 through the misuse of documentation when he or she knowingly:

3 (1) Destroys, conceals, removes, confiscates, or possesses a valid or purportedly valid
4 passport, government identification document, or other immigration document of another
5 person while committing offenses or with the intent to commit offenses, pursuant to sections
6 566.203 to 566.218; or

7 (2) Prevents, restricts, or attempts to prevent or restrict, without lawful authority, a
8 person's ability to move or travel by restricting the proper use of identification, in order to
9 maintain the labor or services of a person who is the victim of an offense committed pursuant
10 to sections 566.203 to 566.218.

11 2. A person who is found guilty of the offense of contributing to human trafficking
12 through the misuse of documentation shall not be required to register as a sexual offender
13 pursuant to the provisions of section 589.400, unless he or she is otherwise required to
14 register pursuant to the provisions of such section.

15 3. The offense of contributing to human trafficking through the misuse of
16 documentation is a class E felony.

17 **4. In addition to any fine imposed, the court shall enter a judgment of restitution**
18 **in the amount of five thousand dollars in favor of the state of Missouri, payable to the**
19 **human trafficking and sexual exploitation fund established under section 589.700, upon**
20 **a plea of guilty or a finding of guilt for a violation of this section.**

567.030. 1. A person commits the offense of patronizing prostitution if he or she:

2 (1) Pursuant to a prior understanding, gives something of value to another person as
3 compensation for having engaged in sexual conduct with any person; or

4 (2) Gives or agrees to give something of value to another person with the
5 understanding that such person or another person will engage in sexual conduct with any
6 person; or

7 (3) Solicits or requests another person to engage in sexual conduct with any person in
8 return for something of value.

9 2. It shall not be a defense that the person believed that the individual he or she
10 patronized for prostitution was eighteen years of age or older.

11 3. The offense of patronizing prostitution is a class B misdemeanor, unless the
12 individual who the person patronizes is less than eighteen years of age but older than
13 ~~fourteen~~ **fifteen** years of age, in which case patronizing prostitution is a class E felony.

14 4. The offense of patronizing prostitution is a class ~~D~~ **B** felony if the individual who
15 the person patronizes is ~~fourteen~~ **fifteen** years of age or younger. Nothing in this section
16 shall preclude the prosecution of an individual for the offenses of:

- 17 (1) Statutory rape in the first degree pursuant to section 566.032;
18 (2) Statutory rape in the second degree pursuant to section 566.034;
19 (3) Statutory sodomy in the first degree pursuant to section 566.062; or
20 (4) Statutory sodomy in the second degree pursuant to section 566.064.

**589.700. 1. There is hereby created in the state treasury the "Human
2 Trafficking and Sexual Exploitation Fund", which shall consist of proceeds from the
3 human trafficking restitution collected for violations of sections 566.203, 566.206,
4 566.209, 566.210, 566.211, and 566.215. The state treasurer shall be custodian of the
5 fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve
6 disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in
7 this fund shall be distributed to the county where the human trafficking offense
8 occurred. Upon receipt of moneys from the fund, a county shall allocate the
9 disbursement as follows:**

10 **(1) Fifty percent toward local rehabilitation services for victims of human
11 trafficking including, but not limited to, mental health and substance abuse counseling;
12 general education, including parenting skills; housing relief; vocational training; and
13 employment counseling; and**

14 **(2) Fifty percent toward local efforts to prevent human trafficking including, but
15 not limited to, education programs for persons convicted of human trafficking offenses
16 and increasing the number of local law enforcement members charged with enforcing
17 human trafficking laws.**

18 **2. Notwithstanding the provisions of section 33.080 to the contrary, any moneys
19 remaining in the fund at the end of the biennium shall not revert to the credit of the
20 general revenue fund.**

21 **3. The state treasurer shall invest moneys in the fund in the same manner as
22 other funds are invested. Any interest and moneys earned on such investments shall be
23 credited to the fund.**

2 **590.050. 1. (1) The POST commission shall establish requirements for the
continuing education of all peace officers.**

3 **(2) Each peace officer shall be required to receive two hours of sex and human
4 trafficking training consistent with the guidelines established in section 27.170 within
5 the law enforcement continuing education one-year reporting period.**

6 **(3) Peace officers who make traffic stops shall be required to receive ~~three hours~~
7 one hour of training within the law enforcement continuing education ~~three-year~~ one-year**

8 reporting period concerning the prohibition against racial profiling and such training shall
9 promote understanding and respect for racial and cultural differences and the use of effective,
10 noncombative methods for carrying out law enforcement duties in a racially and culturally
11 diverse environment.

12 2. The director shall license continuing education providers and may probate, suspend
13 and revoke such licenses upon written notice stating the reasons for such action. Any person
14 aggrieved by a decision of the director pursuant to this subsection may appeal as provided in
15 chapter 536.

16 3. The costs of continuing law enforcement education shall be reimbursed in part by
17 moneys from the peace officer standards and training commission fund created in section
18 590.178, subject to availability of funds, except that no such funds shall be used for the
19 training of any person not actively commissioned or employed by a county or municipal law
20 enforcement agency.

21 4. The director may engage in any activity intended to further the professionalism of
22 peace officers through training and education, including the provision of specialized training
23 through the department of public safety.

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