

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 2688

102ND GENERAL ASSEMBLY

5531H.04P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 566.200, 566.218, 566.223, 573.024, 589.414, and 610.131, RSMo, and to enact in lieu thereof eleven new sections relating to human trafficking, with penalty provisions.

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

Section A. Sections 566.200, 566.218, 566.223, 573.024, 589.414, and 610.131, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 376.1593, 556.039, 566.200, 566.202, 566.207, 566.217, 566.218, 566.223, 573.024, 589.414, and 610.131, to read as follows:

**376.1593. 1. The provisions of this section shall be known and may be cited as the "End Organ Harvesting Act of 2024".**

**2. As used in this section, the following terms mean:**

**(1) "Health benefit plan", the same meaning given to the term in section 376.1350. The term "health benefit plan" shall also include MO HealthNet and the state children's health insurance program authorized under chapter 208;**

**(2) "Health carrier", the same meaning given to the term in section 376.1350. The term "health carrier" shall also include the MO HealthNet division and any Medicaid managed care organization as defined in section 208.431.**

**3. A health carrier or health benefit plan shall not cover a human organ transplant if:**

**(1) The transplant operation is performed in the People's Republic of China; or**

**(2) The human organ to be transplanted was procured by sale originating in the People's Republic of China.**

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.

**556.039. Notwithstanding the provisions of section 556.036, prosecutions:**

2           **(1) Under sections 566.203 to 566.211 involving a person nineteen years of age or**  
3 **older; or**

4           **(2) Under section 566.203, 566.206, or 566.207 involving a person eighteen years**  
5 **of age or under**

6

7 **shall be commenced no later than twenty years after the commission of the offense.**

          566.200. As used in sections 566.200 to 566.218 and section 578.475, the following  
2 terms shall mean:

3           (1) "Basic rights information", information applicable to a noncitizen, including but  
4 not limited to information about human rights, immigration, emergency assistance and  
5 resources, and the legal rights and resources for victims of domestic violence;

6           (2) "Blackmail", any threat to reveal damaging or embarrassing information about a  
7 person to that person's spouse, family, associates, or the public at large, including a threat to  
8 expose any secret tending to subject any person to hatred, contempt, or ridicule;

9           (3) "Client", a person who is a resident of the United States and the state of Missouri  
10 and who contracts with an international marriage broker to meet recruits;

11           (4) "Coercion":

12           (a) Threats of serious harm to or physical restraint against any person;

13           (b) Any scheme, plan, or pattern intended to cause a person to believe that failure to  
14 perform an act would result in serious harm to or physical restraint against any person; or

15           (c) The abuse or threatened abuse of the legal process;

16           (5) "Commercial sex act", any sex act on account of which anything of value is given  
17 to, promised, or received by any person;

18           (6) "Criminal history record information", criminal history record information,  
19 including information provided in a criminal background check, obtained from the Missouri  
20 state highway patrol and the Federal Bureau of Investigation;

21           (7) "Financial harm", detriment, injury, or loss of a financial nature, including credit  
22 extortion, criminal violation of the usury laws under chapter 408, or employment contracts  
23 that violate the statute of frauds provisions under chapter 432;

24           (8) "International marriage broker":

25           (a) A corporation, partnership, business, individual, or other legal entity, whether or  
26 not organized under any law of the United States or any other state, that charges fees to  
27 residents of Missouri for providing dating, matrimonial, or social referrals or matching  
28 services between United States citizens or residents and nonresident aliens by providing  
29 information or a forum that would permit individuals to contact each other. Such contact  
30 shall include, but is not limited to:

31 a. Providing the name, telephone number, postal address, electronic mail address, or  
32 voice message mailbox of an individual, or otherwise facilitating communication between  
33 individuals; or

34 b. Providing an opportunity for an in-person meeting;

35 (b) Such term shall not include:

36 a. A traditional matchmaking organization of a religious nature that operates on a  
37 nonprofit basis and otherwise operates in compliance with the laws of the countries in which  
38 it operates, including the laws of the United States;

39 b. An entity that provides dating services between United States citizens or residents  
40 and other individuals who may be aliens, but does not do so as its principal business, and  
41 charges comparable rates to all individuals it serves regardless of the gender or country of  
42 citizenship or residence of the individual; or

43 c. An organization that does not charge a fee to any party for the services provided;

44 (9) "Involuntary servitude or forced labor", a condition of servitude induced by means  
45 of:

46 (a) Any scheme, plan, or pattern of behavior intended to cause a person to believe  
47 that, if the person does not enter into or continue the servitude, such person or another person  
48 will suffer serious physical injury or physical restraint; or

49 (b) The abuse or threatened abuse of the legal process;

50 (10) **"Labor or services", activity having economic value;**

51 (11) "Marital history information", a declaration of the person's current marital status,  
52 the number of times the person has previously been married, and whether any previous  
53 marriages occurred as a result of service from an international marriage broker;

54 ~~[(11)]~~ (12) "Nudity", the showing of the human male or female genitals, pubic area,  
55 vulva, anus, or any part of the nipple or areola of the female breast;

56 ~~[(12)]~~ (13) "Peonage", illegal and involuntary servitude in satisfaction of debt;

57 ~~[(13)]~~ (14) "Recruit", a noncitizen, nonresident recruited by an international marriage  
58 broker for the purpose of providing dating, matrimonial, or social referral services;

59 (15) **"Serious harm", harm, whether physical or nonphysical, including  
60 psychological, economic, or reputational, to a person that would compel a reasonable  
61 person of the same background and in the same circumstances to perform or continue to  
62 perform labor or services or engage in sexual conduct to avoid incurring harm;**

63 ~~[(14)]~~ (16) "Sexual conduct", sexual intercourse as defined in section 566.010;  
64 deviate sexual intercourse as defined in section 566.010; actual or simulated acts of human  
65 masturbation; physical contact with a person's clothed or unclothed genitals, pubic area,  
66 buttocks, or the breast of a female in an act of apparent sexual stimulation or gratification; or

67 any sadomasochistic abuse or acts including animals or any latent objects in an act of  
68 apparent sexual stimulation or gratification;

69 ~~[(15)]~~ (17) "Sexual performance", any play, motion picture, still picture, film,  
70 videotape, video recording, dance, or exhibition which includes sexual conduct or nudity,  
71 performed before an audience of one or more, whether in person or online or through other  
72 forms of telecommunication;

73 ~~[(16)]~~ (18) "Victim of trafficking", a person who is a victim of offenses under section  
74 566.203, 566.206, 566.209, 566.210, or 566.211.

**566.202. 1. An aggravating circumstance during the commission of an offense  
2 under section 566.203, 566.206, or 566.209 occurs if the defendant recruited, enticed, or  
3 obtained the victim of the offense from a shelter that serves:**

- 4 (1) Persons subjected to human trafficking, domestic violence, or sexual assault;
- 5 (2) Runaway youth;
- 6 (3) Foster children; or
- 7 (4) The homeless.

8 **2. If the trier of fact finds that an aggravating circumstance occurred during the  
9 commission of an offense under section 566.203, 566.206, or 566.209, the defendant may  
10 be imprisoned for up to five years in addition to the period of imprisonment prescribed  
11 for the offense.**

**566.207. 1. A person commits the offense of patronizing a victim of sexual  
2 servitude if the person knowingly gives, agrees to give, or offers to give anything of value  
3 so that an individual may engage in a commercial sex act with another individual and  
4 the person knows that the other individual is a victim of sexual servitude.**

5 **2. The offense of patronizing a victim of sexual servitude if the victim is eighteen  
6 years of age or older is a felony punishable by imprisonment for a term of not less than  
7 five years and not more than twenty years and a fine not to exceed two hundred fifty  
8 thousand dollars.**

9 **3. The offense of patronizing a victim of sexual servitude if the victim is under  
10 eighteen years of age is a felony for which the authorized term of imprisonment is life  
11 imprisonment without eligibility for probation or parole until the offender has served  
12 not less than twenty-five years of such sentence.**

**566.217. 1. A person who is an owner of a business or the owner's agent may be  
2 prosecuted for an offense under sections 566.203 to 566.215 only if:**

- 3 (1) The business owner knowingly engages in conduct that constitutes human  
4 trafficking; or
- 5 (2) An employee or nonemployee agent of the business engages in conduct that  
6 constitutes human trafficking and the conduct is part of a pattern of activity in violation

7 of sections 566.203 to 566.215 for the benefit of the business that the business owner  
8 knew was occurring and failed to take effective action to stop.

9       **2. If a person who is an owner of a business or the owner's agent is prosecuted**  
10 **for an offense under sections 566.203 to 566.215, the court may consider the severity of**  
11 **the business's conduct and order penalties in addition to those otherwise provided for**  
12 **the offense, including:**

13       **(1) A fine of not more than one thousand dollars per offense;**

14       **(2) Disgorgement of profit from activity in violation of sections 566.203 to**  
15 **566.215; and**

16       **(3) Debarment from state and local government contracts.**

17       **3. If a person who is an owner of a business or the owner's agent is prosecuted**  
18 **for an offense under section 566.210 or 566.211, in addition to the penalties provided**  
19 **under subsection 2 of this section, the business location or locations shall be required to**  
20 **close for up to one year for the first offense, and the length of time shall be determined**  
21 **by the court. For a second offense, such business location or locations shall permanently**  
22 **close.**

23       **4. As used in this section, "business" shall include, but is not limited to, a hotel**  
24 **or massage parlor and "owner's agent" shall include any person empowered to manage**  
25 **the owner's business location or locations.**

566.218. Notwithstanding sections 557.011, 558.019, and 559.021, a person found  
2 guilty of violating any provisions of section 566.203, 566.206, **566.207**, 566.209, 566.210,  
3 566.211, 566.212, 566.213, or 566.215 shall be ordered by the sentencing court to pay  
4 restitution to the victim of the offense regardless of whether the defendant is sentenced to a  
5 term of imprisonment or probation. The minimum restitution ordered by the court shall be in  
6 the amount determined by the court necessary to compensate the victim for the value of the  
7 victim's labor and/or for the mental and physical rehabilitation of the victim and any child of  
8 the victim.

566.223. 1. Any individual who is alleging that a violation of sections 566.200 to  
2 566.218 and section 578.475 has occurred against his or her person shall be afforded the  
3 rights and protections provided in the federal Trafficking Victims Protection Act of 2000,  
4 Public Law 106-386, as amended.

5       2. It is an affirmative defense for the offense of prostitution under section 567.020  
6 that the defendant engaged in the conduct charged to constitute an offense because he or she  
7 was coerced to do so by the use of, or threatened use of, unlawful physical force upon himself  
8 or herself or a third person, which force or threatened force a person of reasonable firmness in  
9 his or her situation would have been unable to resist.

10           3. The department of public safety is authorized to establish procedures for  
11 identifying victims of trafficking under sections 566.200 to 566.223. The department may  
12 establish training programs as well as standard protocols for appropriate agencies to educate  
13 officials and employees on state statutes and federal laws regulating human trafficking and  
14 with the identification and assistance of victims of human trafficking. Such agencies may  
15 include but not be limited to state employees and contractors, including the children's division  
16 of the department of social services, juvenile courts, state law enforcement agencies, health  
17 care professionals, and runaway and homeless youth shelter administrators.

18           4. As soon as possible after a first encounter with a person who reasonably appears to  
19 a law enforcement agency to be a victim of trafficking as defined in section 566.200, that  
20 agency or office shall notify the department of social services and, where applicable, juvenile  
21 justice authorities that the person may be a victim of trafficking, in order that such agencies  
22 may determine whether the person may be eligible for state or federal services, programs, or  
23 assistance.

24           5. The department of social services may coordinate with relevant state, federal, and  
25 local agencies to evaluate appropriate services for victims of trafficking. State agencies may  
26 implement programs and enter into contracts with nonprofit agencies, domestic and sexual  
27 violence shelters, and other nongovernment organizations to provide services to confirmed  
28 victims of trafficking, insofar as funds are available for that purpose. Such services may  
29 include, but are not limited to, case management, emergency temporary housing, health care,  
30 mental health counseling, alcohol and drug addiction screening and treatment, language  
31 interpretation and translation services, English language instruction, job training, and  
32 placement assistance.

33           6. A victim of trafficking may bring a civil action against a person or persons who  
34 plead guilty to or are found guilty of a violation of section 566.203, 566.206, **566.207**,  
35 566.209, 566.210, or 566.211 to recover the actual damages sustained by the victim, court  
36 costs, including reasonable attorney's fees, and punitive damages, when determined to be  
37 appropriate by the court. Any action commenced under this section shall be filed within ten  
38 years after the later of:

- 39           (1) The final order in the related criminal case;  
40           (2) The victim's emancipation from the defendant; or  
41           (3) The victim's eighteenth birthday.

42           7. The attorney general may bring a civil action, in the circuit court in which the  
43 victim of trafficking was found, to recover from any person or entity that benefits, financially  
44 or by receiving anything of value, from violations of section 566.203, 566.206, **566.207**,  
45 566.209, 566.210, or 566.211, a civil penalty of not more than fifty thousand dollars for each  
46 violation of section 566.203, 566.206, **566.207**, 566.209, 566.210, or 566.211, and injunctive

47 and other equitable relief as the court may, in its discretion, order. The first priority of any  
48 money or property collected under such an action shall be to pay restitution to the victims of  
49 trafficking on whose behalf the civil action was brought.

573.024. 1. A person commits the offense of enabling sexual exploitation of a minor  
2 if such person acting with criminal negligence permits or allows any violation of section  
3 566.210, 566.211, 573.020, 573.023, 573.025, 573.030, 573.035, 573.200, or 573.205.

4 2. The offense of enabling sexual exploitation of a minor is a class E felony for the  
5 first offense and a class C felony for a second or subsequent offense.

6 3. If the person guilty of the offense of enabling sexual exploitation of a minor **under**  
7 **section 573.020, 573.023, 573.025, 573.030, 573.035, 573.200, or 573.205** is an owner of a  
8 business or the owner's agent and the business provided the location or locations for such  
9 exploitation, the business location or locations shall be required to close for up to one year for  
10 the first offense, and the length of time shall be determined by the court. For a second  
11 offense, such business location or locations shall permanently close. As used in this section,  
12 "business" shall include, but is not limited to, a hotel or massage parlor and "owner's agent"  
13 shall include any person empowered to manage the owner's business location or locations.

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

42           5. Tier I sexual offenders, in addition to the requirements of subsections 1 to 4 of this  
43 section, shall report in person to the chief law enforcement official annually in the month of  
44 their birth to verify the information contained in their statement made pursuant to section  
45 589.407. Tier I sexual offenders include:

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

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

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

51           (c) Sexual abuse in the second degree under section 566.101 if the punishment is less  
52 than a year;

53           (d) Kidnapping in the second degree under section 565.120 with sexual motivation;

54           (e) Kidnapping in the third degree under section 565.130;

55           (f) Sexual conduct with a nursing facility resident or vulnerable person in the first  
56 degree under section 566.115 if the punishment is less than one year;

57           (g) Sexual conduct under section 566.116 with a nursing facility resident or  
58 vulnerable person;

- 59           (h) Sexual ~~[contact with a prisoner or offender]~~ **conduct in the course of public duty**  
60 under section 566.145 if the victim is eighteen years of age or older;
- 61           (i) Sex with an animal under section 566.111;
- 62           (j) Trafficking for the purpose of sexual exploitation under section 566.209 if the  
63 victim is eighteen years of age or older;
- 64           (k) Possession of child pornography under section 573.037;
- 65           (l) Sexual misconduct in the first degree under section 566.093;
- 66           (m) Sexual misconduct in the second degree under section 566.095;
- 67           (n) Child molestation in the second degree under section 566.068 as it existed prior to  
68 January 1, 2017, if the punishment is less than one year; or
- 69           (o) Invasion of privacy under section 565.252 if the victim is less than eighteen years  
70 of age;
- 71           (2) Any offender who is or has been adjudicated in any other state, territory, the  
72 District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction of an  
73 offense of a sexual nature or with a sexual element that is comparable to the tier I sexual  
74 offenses listed in this subsection or, if not comparable to those in this subsection, comparable  
75 to those described as tier I offenses under the Sex Offender Registration and Notification Act,  
76 Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.
- 77           6. Tier II sexual offenders, in addition to the requirements of subsections 1 to 4 of this  
78 section, shall report semiannually in person in the month of their birth and six months  
79 thereafter to the chief law enforcement official to verify the information contained in their  
80 statement made pursuant to section 589.407. Tier II sexual offenders include:
- 81           (1) Any offender who has been adjudicated for the offense of:
- 82           (a) Statutory sodomy in the second degree under section 566.064 if the victim is  
83 sixteen to seventeen years of age;
- 84           (b) Child molestation in the third degree under section 566.069 if the victim is  
85 between thirteen and fourteen years of age;
- 86           (c) Sexual contact with a student under section 566.086 if the victim is thirteen to  
87 seventeen years of age;
- 88           (d) Enticement of a child under section 566.151;
- 89           (e) Abuse of a child under section 568.060 if the offense is of a sexual nature and the  
90 victim is thirteen to seventeen years of age;
- 91           (f) Sexual exploitation of a minor under section 573.023;
- 92           (g) Promoting child pornography in the first degree under section 573.025;
- 93           (h) Promoting child pornography in the second degree under section 573.035;
- 94           (i) Patronizing prostitution under section 567.030;

95 (j) Sexual ~~[contact with a prisoner or offender]~~ **conduct in the course of public duty**  
96 under section 566.145 if the victim is thirteen to seventeen years of age;

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

99 (l) Sexual misconduct involving a child under section 566.083 if it is a first offense  
100 and the penalty is a term of imprisonment of more than a year; or

101 (m) Age misrepresentation with intent to solicit a minor under section 566.153;

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

106 (3) Any person who is or has been adjudicated in any other state, territory, the District  
107 of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense  
108 of a sexual nature or with a sexual element that is comparable to the tier II sexual offenses  
109 listed in this subsection or, if not comparable to those in this subsection, comparable to those  
110 described as tier II offenses under the Sex Offender Registration and Notification Act, Title I  
111 of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.

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

116 (1) Any offender registered as a predatory sexual offender ~~[as defined in section~~  
117 ~~566.123]~~ or a persistent sexual offender as defined in section ~~[566.124]~~ **566.125**;

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

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

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

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

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

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

125 (f) Statutory sodomy under section 566.062;

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

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

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

- 131 (j) Sexual abuse in the first degree under section 566.100 if the victim is under  
132 thirteen years of age;
- 133 (k) Kidnapping in the first degree under section 565.110 if the victim is under  
134 eighteen years of age, excluding kidnapping by a parent or guardian;
- 135 (l) Child kidnapping under section 565.115;
- 136 (m) Sexual conduct with a nursing facility resident or vulnerable person in the first  
137 degree under section 566.115 if the punishment is greater than a year;
- 138 (n) Incest under section 568.020;
- 139 (o) Endangering the welfare of a child in the first degree under section 568.045 with  
140 sexual intercourse or deviate sexual intercourse with a victim under eighteen years of age;
- 141 (p) Child molestation in the first degree under section 566.067;
- 142 (q) Child molestation in the second degree under section 566.068;
- 143 (r) Child molestation in the third degree under section 566.069 if the victim is under  
144 thirteen years of age;
- 145 (s) Promoting prostitution in the first degree under section 567.050 if the victim is  
146 under eighteen years of age;
- 147 (t) Promoting prostitution in the second degree under section 567.060 if the victim is  
148 under eighteen years of age;
- 149 (u) Promoting prostitution in the third degree under section 567.070 if the victim is  
150 under eighteen years of age;
- 151 (v) Promoting travel for prostitution under section 567.085 if the victim is under  
152 eighteen years of age;
- 153 (w) Trafficking for the purpose of sexual exploitation under section 566.209 if the  
154 victim is under eighteen years of age;
- 155 (x) Sexual trafficking of a child in the first degree under section 566.210;
- 156 (y) Sexual trafficking of a child in the second degree under section 566.211;
- 157 (z) Genital mutilation of a female child under section 568.065;
- 158 (aa) Statutory rape in the second degree under section 566.034;
- 159 (bb) Child molestation in the fourth degree under section 566.071 if the victim is  
160 under thirteen years of age;
- 161 (cc) Sexual abuse in the second degree under section 566.101 if the penalty is a term  
162 of imprisonment of more than a year;
- 163 (dd) Patronizing prostitution under section 567.030 if the offender is a persistent  
164 offender;
- 165 (ee) Abuse of a child under section 568.060 if the offense is of a sexual nature and the  
166 victim is under thirteen years of age;

167 (ff) Sexual ~~[contact with a prisoner or offender]~~ **conduct in the course of public**  
168 **duty** under section 566.145 if the victim is under thirteen years of age;

169 (gg) ~~[Sexual intercourse with a prisoner or offender under section 566.145;~~

170 ~~(hh)]~~ Sexual contact with a student under section 566.086 if the victim is under  
171 thirteen years of age;

172 ~~[(i)]~~ **(hh)** Use of a child in a sexual performance under section 573.200; ~~[or~~

173 ~~(j)]~~ **(ii)** Promoting a sexual performance by a child under section 573.205;

174 **(jj)** **Enabling sexual exploitation of a minor under section 573.024; or**

175 **(kk)** **Patronizing a victim of sexual servitude under section 566.207;**

176 (3) Any offender who is adjudicated for a crime comparable to a tier I or tier II  
177 offense listed in this section or failure to register offense under section 589.425, or other  
178 comparable out-of-state failure to register offense, who has been or is already required to  
179 register as a tier II offender because of having been adjudicated for a tier II offense, two tier I  
180 offenses, or combination of a tier I offense and failure to register offense, on a previous  
181 occasion;

182 (4) Any offender who is adjudicated in any other state, territory, the District of  
183 Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of  
184 a sexual nature or with a sexual element that is comparable to a tier III offense listed in this  
185 section or a tier III offense under the Sex Offender Registration and Notification Act, Title I  
186 of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248; or

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

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

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

610.131. 1. Notwithstanding the provisions of section 610.140 to the contrary, a  
2 person who ~~[at the time of the offense was under the age of eighteen, and]~~ has pleaded guilty

3 **to** or has been convicted ~~[for]~~ **of** the offense of prostitution under section 567.020 may apply  
4 to the court in which he or she pled guilty or was sentenced for an order to expunge from all  
5 official records all recordations of his or her arrest, plea, trial, or conviction. If the court  
6 determines that such person ~~[was under the age of eighteen or]~~ was acting under the coercion,  
7 as defined in section 566.200, of an agent when committing the offense that resulted in a plea  
8 of guilty or conviction under section 567.020, the court shall enter an order of expungement.

9       2. Upon granting of the order of expungement, the records and files maintained in any  
10 administrative or court proceeding in an associate or circuit division of the circuit court under  
11 this section shall be confidential and only available to the parties or by order of the court for  
12 good cause shown. The effect of such order shall be to restore such person to the status he or  
13 she occupied prior to such arrest, plea, or conviction and as if such event had never taken  
14 place. No person as to whom such order has been entered shall be held thereafter under any  
15 provision of any law to be guilty of perjury or otherwise giving a false statement by reason of  
16 his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement  
17 in response to any inquiry made of him or her for any purpose whatsoever and no such  
18 inquiry shall be made for information relating to an expungement under this section.

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