

FIRST REGULAR SESSION

HOUSE BILL NO. 1142

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JONES (12).

2516H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 566.210 and 566.211, RSMo, and to enact in lieu thereof two new sections relating to offenses involving sexual trafficking of children, with penalty provisions.

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

Section A. Sections 566.210 and 566.211, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 566.210 and 566.211, to read as follows:

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.

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 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]~~ **thirty** 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.

 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 sexual trafficking of a child in the second degree is a felony punishable
18 by imprisonment for a term of years not less than ~~[ten]~~ **twenty-five** years or life and a fine not
19 to 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]~~ **thirty** years of such sentence.

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