

HCS HBs 2273, 1946, 1814 & 2551 -- PROTECTION OF CHILDREN AND VULNERABLE PERSONS (Lewis)

COMMITTEE OF ORIGIN: Standing Committee on Children and Families

CHILD SEX ABUSE MATERIAL (Sections 43.656, 67.2540, 168.071, 210.1080, 324.012, 329.050, 339.100, 542.301, 566.010, 566.147, 566.148, 566.149, 566.150, 566.155, 573.010, 573.023, 573.025, 573.035, 573.037, 573.038, 573.050, 573.052, 573.215, 589.042, 589.400, 589.414, 650.120, and 660.520)

This bill replaces the term "child pornography" with "child sexual abuse material" throughout statute, but child pornography as it will have existed prior to the effective date of this legislation will still be subject to the provisions of the relevant statutes.

The term "child sexual abuse material" now includes any anatomically correct doll, mannequin, or robot meant to resemble a minor under 18 years of age and intended to be used for the purpose of arousing or gratifying the sexual desire of any person or for the purpose of terrorizing or causing emotional distress to any person.

SEX AND HUMAN TRAFFICKING AWARENESS TRAINING (Sections 56.265, 190.142, 211.326, 315.005, 315.081, 324.035, 337.618, and 590.050)

The Department of Health and Senior Services will require each Emergency Medical Technician, including each paramedic, to receive certain hours of sex and human trafficking training as part of continuing education requirements for relicensure every five years. Each county prosecuting attorney and juvenile officer must complete one hour of sex and human trafficking training annually, social workers will be required to complete two hours of sex and human trafficking training for license renewal, and each peace officer will be required to receive two hours of sex and human trafficking training within the law enforcement continuing education one-year reporting period.

This bill requires that employees of lodging establishments receive annual human trafficking awareness training. The operator of the lodging establishment will be responsible for maintaining records of the training for periods of time as described in the bill. Further, each operator must establish procedures and policies for the reporting of suspected human

trafficking to the National Human Trafficking Hotline or a local law enforcement agency.

STATEWIDE COUNCIL (Section 210.1505)

The bill also establishes the "Statewide Council Against Adult Trafficking and the Commercial Sexual Exploitation of Children" to replace the "Statewide Council on Sex Trafficking and Sexual Exploitation of Children", which expired on December 31, 2023. The new council must be created within 30 days of August 28, 2026, is required to meet at least quarterly, and is within the Office of the Attorney General. The members of the council are specified and include two members of the Senate and two members of the House of Representatives. The Council is also required to have an executive director, who must be appointed by the Attorney General and whose compensation will be set by the Attorney General.

The bill creates the "Commercial Sexual Exploitation of Children Education and Awareness Fund", of which the State Treasurer will be the custodian; the State Treasurer is required to approve disbursements as required by the Attorney General. Moneys in the Fund will be used to pay for the position of the executive director and administrative support for the Council, against adult trafficking and the commercial exploitation of children, education and awareness regarding human trafficking, and anti-trafficking efforts throughout the State.

This bill establishes the "Committee on Sex and Human Trafficking Training", composed of eight members, including, but not limited to, a representative of the Attorney General's Office, a representative of the Department of Public Safety, and a juvenile officer. The Committee must annually evaluate and establish guidelines for required sex and human trafficking training. The Committee will dissolve on December 31, 2031.

CHILD SEX TRAFFICKING (Sections 537.054 and 566.211)

The bill authorizes a person to file a cause of action to recover damages from injury or illness caused by child sex trafficking within 20 years of the plaintiff turning 21 years of age or within three years of the date the plaintiff discovers, or reasonably should have discovered, that the injury or illness was caused by child sex trafficking. This provision applies to any action commenced on or after August 28, 2026.

The bill specifies that the term of imprisonment for the offense of sexual trafficking of a child in the second degree when it is committed by a parent, legal guardian, or other person having custody or control of a child is "life imprisonment", which, in this instance, means for the duration of the person's natural life.

GROOMING (Section 566.152)

This bill establishes the offense of grooming of a minor, which occurs if a person who is 21 years of age or older knowingly engages in a pattern of conduct that includes at least one overtly sexual act or communication directed toward a minor. This pattern of conduct must be of a type that a reasonable person would infer the intent to prepare, condition, or manipulate the minor for sexual conduct, sexual performance, or a commercial sex act.

The bill describes conditions that must apply for the purposes of prosecuting the offense of grooming of a minor. These conditions do not require direct evidence of explicit statements of intent by the defendant, and intent can be established by the nature, frequency, and context of the defendant's actions or communications. The intent of the defendant is required to be evaluated based upon only what a reasonable person would infer the intent of the defendant to be.

The offense of grooming of a minor does not apply to a person who is a parent, guardian, or family member of the minor who is providing standard care or support to the minor if there is no evidence of sexual intent or exploitation by the person.

The offense of grooming of a minor is a class C felony, unless sexual conduct, sexual performance, or a commercial sex act occurs, in which case it is a class B felony. A person who is convicted under this provision is not eligible for probation, parole, or conditional release until the person has served at least five years of his or her sentence.

A person found guilty of this offense will be ordered by the sentencing court to pay restitution to the victim, the minimum amount of which must be in the amount determined by the court necessary to appropriately compensate the victim.

The bill requires the committee established within the statewide council to issue guidance for the public on identifying and recognizing actions constituting grooming of a minor, responding

to potential instances thereof, and treatment and services for victims. Additional guidance is required on procedures and training for professionals on investigating and prosecuting perpetrators of the offense.

The bill defines the terms "minor", "pattern of conduct", and "sexual performance" within the context of the offense.

SEXUAL OFFENSES (Sections 573.110, 573.112, 573.114, and 595.045)

This bill additionally modifies the definition of "child pornography". The current definition classifies child pornography as certain visual depictions, including digital images, computer images, or computer-generated images that are of, or are indistinguishable from, a minor engaging in sexually explicit conduct, in that an ordinary person would conclude that the depiction is of an actual minor engaged in sexually explicit conduct. The bill adds that the visual depiction is such that an ordinary person would conclude the depiction is of an actual minor engaged in sexually explicit conduct, regardless of whether the minor was actually engaged in sexually explicit conduct at the time the visual depiction was created.

The bill changes what constitutes a victim of the offense of nonconsensual dissemination of private sexual images. Currently, to be considered a victim, a person must be at least 18 years of age, identifiable from the image itself or information displayed in connection with the image, and be engaged in a sexual act or have his or her intimate parts exposed. This bill repeals the condition that the victim be at least 18 years of age.

The offense of nonconsensual dissemination of private sexual images is a class D felony. This bill adds that the offense becomes a class C felony if the image is of a minor or a vulnerable person.

Additionally, the bill changes what constitutes a victim of the offense of threatening the nonconsensual dissemination of private sexual images. Currently, to be considered a victim, a person must be at least 18 years of age, identifiable from the image itself or information displayed in connection with the image and be engaged in a sexual act or have his or her intimate parts exposed. This bill repeals the condition that the victim be at least 18 years of age.

The current penalty for the offense of threatening the nonconsensual dissemination of private sexual images is a class E

felony. This bill adds that if it is a second offense, it is a class D felony. A third or subsequent offense is a class C felony. Moreover, if the image was of a minor or vulnerable person, the offense is a class B felony. If the threat of the offense is the proximate cause of a serious physical injury or death of a person, the offense is a class B felony.

A person found guilty of this offense will be ordered by the sentencing court to pay restitution to the victim, the minimum amount of which must be in the amount determined by the court necessary to appropriately compensate the victim.

The bill adds grooming of a minor, nonconsensual dissemination of private sexual images, and threatening the nonconsensual dissemination of private sexual images to offenses for which the convicted person is required to register as a sex offender. The bill adds the grooming of a minor to the Tier I sexual offenses. It also adds the nonconsensual dissemination of private sexual images, or the threatening thereof, if the victim is 17 years of age or younger or if coercion of the victim was sexual in nature to the Tier II sexual offenses.

Additionally, the bill repeals the offense of sexual intercourse with a prisoner or offender from the Tier III sexual offenses.

The bill modifies moneys to be deposited into the crime victims' compensation fund by adding \$500, but no more than \$5,000, upon a plea of guilty or a finding of guilt for the offense of nonconsensual dissemination of private sexual images, or the offense of threatening the nonconsensual dissemination of private sexual images, to the amounts.

PROSECUTING ATTORNEYS (Section 566.201)

This bill allows a prosecuting or circuit attorney to request assistance from the Attorney General to assist in the prosecution of child sex trafficking cases.

REAL OR PERSONAL PROPERTY SEIZURE (Section 566.218)

Any real or personal property that was used, attempted to be used, or intended to be used to commit a certain unlawful sexual offense can be seized and will be forfeited as provided by current law.

OFFENSE OF PATRONIZING PROSTITUTION (Section 567.030)

Currently, the offense of patronizing prostitution is a class B felony if the individual the person patronizes is 15 years of age or younger, and a class B misdemeanor unless the individual the person patronizes is under 18 years old but older than age 15. This bill increases the penalty to a class E felony, unless the individual the person patronizes is less than 18 years old but older than age 15, at which point it becomes a class D felony.

MISSOURI CRIME VICTIMS FUND (Section 595.047)

This bill establishes the "Missouri Crime Victims Fund", which must consist of moneys appropriated by the General Assembly. Moneys in the fund will be disbursed to entitlement jurisdictions, eligible entities, or local governmental entities that are eligible for victim assistance grants under the Federal Victims of Crime Act.

OFFENSE OF PROSTITUTION (Section 610.131)

Currently, a person who was convicted of the offense of prostitution who was under the age of 18 at the time of the offense can apply to the appropriate court to have his or her record expunged. This bill repeals the requirement that the person be under the age of 18 at the time of the offense.

CYBER CRIME INVESTIGATION FUND (Section 650.120)

Current law authorizes a panel within the Department of Public Safety to award grants to multi-jurisdictional internet cyber crime law enforcement task forces, enforcement groups, and other law enforcement agencies. The program expired on December 31, 2024, and terminated on September 1, 2025. This bill repeals that expiration.