

SECOND REGULAR SESSION

SENATE BILL NO. 554

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SINGLETON.

Pre-filed December 1, 1999, and 1,000 copies ordered printed.

2517S.011

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 573.037, RSMo 1994, relating to child pornography, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

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

Section A. Section 573.037, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 573.037, to read as follows:

573.037. 1. A person commits the crime of possession of child pornography if he knowingly:

- (1) Possesses or controls any obscene material that has a minor as one of its participants or portrays as an observer of sexual conduct, sexual contact or a sexual performance a minor; or
- (2) Possesses or controls any material that shows a minor participating or engaging in sexual conduct.

2. Possession of child pornography is a class A misdemeanor unless the person has pleaded guilty to or has been found guilty of an offense under this section committed at a different time, **or unless the person possesses or controls more than twenty-five still images of obscene material containing a minor or one or more films containing obscene material depicting a minor**, in which case it is a class D felony.

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