

SECOND REGULAR SESSION

# SENATE BILL NO. 941

90TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR DePASCO,

Read 1st time January 31, 2000, and 1,000 copies ordered printed.

4257S.011

TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal sections 566.062, 566.067 and 566.068, RSMo 1994, relating to sexual offenses involving children, and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

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

Section A. Sections 566.062, 566.067 and 566.068, RSMo 1994, are repealed and three new sections enacted in lieu thereof, to be known as sections 566.062, 566.067 and 566.068, to read as follows:

566.062. 1. A person commits the crime of statutory sodomy in the first degree if [he] **the person:**

(1) Has deviate sexual intercourse with another person who is less than fourteen years old;

(2) **Causes a person less than fourteen years of age to have deviate sexual intercourse with another person or engage in any act of bestiality.**

2. Statutory sodomy in the first degree is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner, subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, or the victim is less than twelve years of age, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years.

566.067. 1. A person commits the crime of child molestation in the first degree if [he]

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

**the offender:**

(1) Subjects another person who is less than [twelve] **fourteen** years of age to sexual contact; **or**

(2) **Solicits a person less than fourteen years of age to have sexual contact with either the offender or another, with the intent to arouse or satisfy the sexual desires of the child, the offender or another;**

(3) **Invites, persuades or attempts to persuade a child less than fourteen years of age to enter any vehicle, building, room or secluded place with intent to commit an unlawful sexual act upon or with the child.**

2. Child molestation in the first degree is a class C felony unless the actor has previously been convicted of an offense [under] **pursuant to** this chapter or in the course thereof the actor inflicts serious physical injury, displays a deadly weapon or deadly instrument in a threatening manner, or the offense is committed as part of a ritual or ceremony, in which case the crime is a class B felony.

566.068. 1. A person commits the crime of child molestation in the second degree if [he] **the person:**

(1) Subjects another person who is [twelve or thirteen] **at least fourteen years of age but less than sixteen** years of age to sexual contact;

(2) **Solicits a person at least fourteen years of age but less than sixteen years of age to have sexual contact with either the offender or another, with the intent to arouse or satisfy the sexual desires of the child, the offender or another; or**

(3) **Invites, persuades or attempts to persuade a child at least fourteen years of age but less than sixteen years of age to enter any vehicle, building, room or secluded place with intent to commit an unlawful sexual act upon or with the child.**

2. Child molestation in the second degree is a class A misdemeanor unless the actor has previously been convicted of an offense [under] **pursuant to** this chapter or in the course thereof the actor inflicts serious physical injury on any person, displays a deadly weapon or dangerous instrument in a threatening manner, or the offense is committed as part of a ritual or ceremony, in which case the crime is a class D felony.

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