

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 400
96TH GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, April 14, 2011, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

1864S.02C

AN ACT

To repeal section 566.086, RSMo, and to enact in lieu thereof one new section relating to the crime of sexual contact with a student, with existing penalty provisions.

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

Section A. Section 566.086, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.086, to read as follows:

566.086. 1. A person commits the crime of sexual contact with a student [while on public school property] if he or she has sexual contact with a student of the public school [while on any public school property] and is:

(1) A teacher, as that term is defined in subdivisions (4), (5), and (7) of section 168.104;

(2) A student teacher;

(3) An employee of the school;

(4) A volunteer of the school or of an organization working with the school on a project or program **who is not a student at the public school**; [or]

(5) **An elected or appointed official of the public school district**;

or

(6) A person employed by an entity that contracts with the public school district to provide services.

2. [For the purposes of this section, "public school property" shall mean property of any public school in this state serving kindergarten through grade twelve or any school bus used by the public school district.

3.] Sexual contact with a student [while on public school property] is a class D felony.

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