

FIRST REGULAR SESSION

# SENATE BILL NO. 157

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAEFER.

Read 1st time January 24, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1019S.02I

## AN ACT

To repeal section 568.060, RSMo, and to enact in lieu thereof one new section relating to child abuse, with existing penalty provisions.

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

Section A. Section 568.060, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 568.060, to read as follows:

568.060. 1. A person commits the crime of abuse of a child if such person:  
2 (1) Knowingly inflicts cruel [and inhuman] **or excessive** punishment  
3 upon a child less than seventeen years old; or

4 (2) **Knowingly cause physical injury to a child less than**  
5 **seventeen years of age by any means including, but not limited to**  
6 **torturing, shaking, slamming, kicking, or neglecting the child; or**

7 (3) Photographs or films a child less than eighteen years old engaging in  
8 a prohibited sexual act or in the simulation of such an act or who causes or  
9 knowingly permits a child to engage in a prohibited sexual act or in the  
10 simulation of such an act for the purpose of photographing or filming the act.

11 2. As used in this section "prohibited sexual act" means any of the  
12 following, whether performed or engaged in either with any other person or alone:  
13 sexual or anal intercourse, masturbation, bestiality, sadism, masochism,  
14 fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity  
15 is to be depicted for the purpose of sexual stimulation or gratification of any  
16 individual who may view such depiction.

17 3. Abuse of a child is a class C felony, unless:

18 (1) In the course thereof the person inflicts serious emotional injury on  
19 the child, or the offense is committed as part of a ritual or ceremony, **or the**

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

20 **person inflicts physical injury on a child less than two years of age, in**  
21 **which case the crime is a class B felony; or**

22 (2) A child dies as a result of injuries sustained from conduct chargeable  
23 pursuant to the provisions of this section, in which case the crime is a class A  
24 felony.

25 4. As used in this section, the word "fetishism" means a condition in  
26 which erotic feelings are excited by an object or body part whose presence is  
27 psychologically necessary for sexual stimulation or gratification.

✓  
Unofficial

Bill

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