

SECOND REGULAR SESSION

SENATE BILL NO. 689

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Pre-filed December 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4586S.011

AN ACT

To repeal section 566.147, RSMo, and to enact in lieu thereof one new section relating to residence restrictions for sex offenders, with penalty provisions.

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

Section A. Section 566.147, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 566.147, to read as follows:

566.147. 1. Any person who, since July 1, 1979, has been or hereafter has
2 been found guilty of:

3 (1) Violating any of the provisions of this chapter or the provisions of
4 section 568.020, incest; section 568.045, endangering the welfare of a child in the
5 first degree; subsection 2 of section 568.080 as it existed prior to January 1, 2017,
6 or section 573.200, use of a child in a sexual performance; section 568.090 as it
7 existed prior to January 1, 2017, or section 573.205, promoting a sexual
8 performance by a child; section 573.023, sexual exploitation of a minor; section
9 573.025, promoting child pornography in the first degree; section 573.035,
10 promoting child pornography in the second degree; section 573.037, possession of
11 child pornography, or section 573.040, furnishing pornographic material to
12 minors; or

13 (2) Any offense in any other jurisdiction which, if committed in this state,
14 would be a violation listed in this section;
15 shall not reside within one thousand feet of any public school as defined in
16 section 160.011, any private school giving instruction in a grade or grades not
17 higher than the twelfth grade, or any child care facility that is licensed under
18 chapter 210, or any child care facility as defined in section 210.201 that is exempt
19 from state licensure but subject to state regulation under section 210.252 and

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

20 holds itself out to be a child care facility, where the school or facility is in
21 existence at the time the individual begins to reside at the location. **Such**
22 **person shall also not reside within one thousand feet of the property**
23 **line of the residence of a former victim of such person.**

24 2. If such person has already established a residence and a public school,
25 a private school, or child care facility is subsequently built or placed within one
26 thousand feet of such person's residence, **or a former victim subsequently**
27 **resides on property with a property line within one thousand feet of**
28 **such person's residence**, then such person shall, within one week of the
29 opening of such public school, private school, or child care facility, **or the former**
30 **victim residing on the property**, notify the county sheriff where such public
31 school, private school, [or] child care facility, **or residence of a former victim**
32 is located that he or she is now residing within one thousand feet of such public
33 school, private school, [or] child care facility, **or property line of the**
34 **residence of a former victim**, and shall provide verifiable proof to the sheriff
35 that he or she resided there prior to the opening of such public school, private
36 school, or child care facility, **or the former victim residing on the property.**

37 3. For purposes of this section, "resides" means sleeps in a residence,
38 which may include more than one location and may be mobile or transitory.

39 4. Violation of the provisions of subsection 1 of this section is a class E
40 felony except that the second or any subsequent violation is a class B
41 felony. Violation of the provisions of subsection 2 of this section is a class A
42 misdemeanor except that the second or subsequent violation is a class E felony.

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