

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 37
100TH GENERAL ASSEMBLY

Reported from the Committee on the Judiciary and Civil and Criminal Jurisprudence, March 7, 2019, with recommendation that the Senate Committee Substitute do pass.

0223S.03C

ADRIANE D. CROUSE, Secretary.

AN ACT

To repeal section 567.050, RSMo, and to enact in lieu thereof one new section relating to the offense of promoting prostitution, with penalty provisions.

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

Section A. Section 567.050, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 567.050, to read as follows:

567.050. 1. A person commits the offense of promoting prostitution in the
2 first degree if he or she knowingly:

3 (1) Promotes prostitution by compelling a person to enter into, engage in,
4 or remain in prostitution; [or]

5 (2) Promotes prostitution of a person less than sixteen years of age; or

6 **(3) Owns, manages, or operates an interactive computer service,**
7 **or conspires or attempts to do so, with the intent to promote or**
8 **facilitate the prostitution of another. As used in this subdivision, the**
9 **term "interactive computer service" shall mean: any information**
10 **service, system, or access software provider that provides or enables**
11 **computer access by multiple users to a computer server, including**
12 **specifically a service or system that provides access to the internet and**
13 **such systems operated or services offered by libraries or educational**
14 **institutions.**

15 2. The term "compelling" includes:

16 (1) The use of forcible compulsion;

17 (2) The use of a drug or intoxicating substance to render a person
18 incapable of controlling his conduct or appreciating its nature;

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

19 (3) Withholding or threatening to withhold dangerous drugs or a narcotic
20 from a drug dependent person.

21 3. **(1)** The offense of promoting prostitution in the first degree under
22 subdivision (1) **or (3)** of subsection 1 of this section is a class B felony.

23 **(2) The offense of promoting prostitution in the first degree**
24 **under subdivision (3) of subsection 1 of this section is a class A felony**
25 **if a person acts in reckless disregard of the fact that such conduct**
26 **contributed to the offense of trafficking for the purposes of sexual**
27 **exploitation under section 566.209.**

28 **(3)** The offense of promoting prostitution in the first degree under
29 subdivision (2) of subsection 1 of this section is a felony punishable by a term of
30 imprisonment not less than ten years and not to exceed fifteen years.

31 **4. A person injured by the acts committed in violation of**
32 **subdivision (3) of subsection 1 of this section or subdivision (2) of**
33 **subsection 3 of this section shall have a civil cause of action to recover**
34 **damages and reasonable attorneys' fees for such injury.**

35 **5. In addition to the court's authority to order a defendant to**
36 **make restitution for the damage or loss caused by his or her offense as**
37 **provided in section 559.105, the court shall enter a judgment of**
38 **restitution against the defendant convicted of violating subdivision (3)**
39 **of subsection 1 of this section and subdivision (2) of subsection 3 of this**
40 **section.**

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