

FIRST REGULAR SESSION

SENATE BILL NO. 37

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

Pre-filed December 1, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0223S.01I

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Section A. Section 567.050, RSMo, is repealed and one new section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 **as defined 47 U.S.C. Section 230(f), or conspires or attempts to do so,**
8 **with the intent to promote or facilitate the prostitution of another.**

9 2. The term "compelling" includes:

10 (1) The use of forcible compulsion;

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

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

15 3. **(1)** The offense of promoting prostitution in the first degree under
16 subdivision (1) or **(3)** of subsection 1 of this section is a class B felony.

17 **(2)** The offense of promoting prostitution in the first degree
18 under subdivision **(3)** of subsection 1 of this section is a class A felony
19 if a person acts in reckless disregard of the fact that such conduct

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

20 **contributed to the offense of trafficking for the purposes of sexual**
21 **exploitation under section 566.209.**

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

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

29 **5. In addition to the court's authority to order a defendant to**
30 **make restitution for the damage or loss caused by his or her offense as**
31 **provided in section 559.105, the court shall enter a judgment of**
32 **restitution against the defendant convicted of violating subdivision (3)**
33 **of subsection 1 of this section and subdivision (2) of subsection 3 of this**
34 **section.**

✓

Bill

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