

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Section A. Section 567.050, RSMo, is repealed and one new section  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

Copy