

FIRST REGULAR SESSION

# SENATE BILL NO. 616

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

2370S.02I

ADRIANE D. CROUSE, Secretary

## AN ACT

To amend chapter 566, RSMo, by adding thereto one new section relating to the offense of sexual exploitation by a clergyperson, with a penalty provision.

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

Section A. Chapter 566, RSMo, is amended by adding thereto  
2 one new section, to be known as section 566.088, to read as  
3 follows:

**566.088. 1. A person commits the offense of sexual  
2 exploitation by a clergyperson if such person is or holds  
3 oneself out to be a clergyperson as defined in subsection 3  
4 of this section, and engages in sexual conduct, as defined  
5 in section 566.010, with another person who is not the  
6 clergyperson's spouse, and the sexual conduct occurred:**

7 (1) During the course of a meeting in which the victim  
8 sought or received religious, spiritual, marital or  
9 relationship advice, counseling, therapy, aid, or comfort  
10 from the clergyperson or within one hundred twenty days  
11 after such meeting; or

12 (2) During a period of time in which the victim was  
13 meeting on an ongoing basis with the clergyperson to seek or  
14 receive religious, spiritual, marital or relationship  
15 advice, counseling, therapy, aid, or comfort from the  
16 clergyperson; or

17           (3) While the clergyperson was in a position of trust  
18 or authority over the victim and used that position of trust  
19 or authority to engage in the sexual conduct.

20           2. Consent by the victim shall be a defense under this  
21 section, unless such victim is a child less than seventeen  
22 years of age.

23           3. As used in this section, "clergyperson" means any  
24 person practicing as a minister of the gospel, clergy,  
25 pastor, priest, bishop, cardinal, rabbi, Christian Science  
26 practitioner, or other person serving in a similar capacity  
27 for any religious organization, as defined in section  
28 352.400.

29           4. The offense of sexual exploitation by a  
30 clergyperson is a class C felony.

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