

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 811, Page 1, Section TITLE, Line 6,

2 by striking "child protection" and inserting in lieu thereof
3 the following: "protection of vulnerable persons"; and

4 Further amend said bill, page 28, Section 492.304, line
5 47, by inserting after all of said line the following:

6 "516.140. Within two years:

7 (1) An action for libel, slander, injurious falsehood,
8 [assault, battery,] false imprisonment, criminal
9 conversation, malicious prosecution or actions brought under
10 section 290.140 [.];

11 (2) An action for assault or battery, except for those
12 mentioned in section 516.371;

13 (3) An action by an employee for the payment of unpaid
14 minimum wages, unpaid overtime compensation or liquidated
15 damages by reason of the nonpayment of minimum wages or
16 overtime compensation, and for the recovery of any amount
17 under and by virtue of the provisions of the Fair Labor
18 Standards Act of 1938 and amendments thereto, such act being
19 an act of Congress, shall be brought within two years after
20 the cause accrued.

21 516.371. 1. Notwithstanding the provisions of section
22 516.140 to the contrary, an action for assault or battery
23 based upon sexual conduct, as that term is defined in
24 section 566.010, by a defendant against a plaintiff shall be
25 brought within fifteen years.

26 2. Notwithstanding any provision of law to the
 27 contrary, there shall be a [ten-year] fifteen-year statute
 28 of limitation on any action for damages for personal injury
 29 caused to an individual by a person within the third degree
 30 of affinity or consanguinity who subjects such individual to
 31 sexual contact, as defined in section 566.010.

32 537.046. 1. As used in this section, the following
 33 terms mean:

34 (1) "Childhood sexual abuse", any act committed by the
 35 defendant against the plaintiff which act occurred when the
 36 plaintiff was under the age of eighteen years and which act
 37 would have been a violation of section 566.030, [566.040,
 38 566.050] 566.031, 566.032, 566.034, 566.060, [566.070,
 39 566.080, 566.090] 566.061, 566.062, 566.064, 566.067,
 40 566.068, 566.069, 566.071, 566.083, 566.086, 566.093,
 41 566.095, 566.100, [566.110, or 566.120] 566.101, 566.209,
 42 566.210, 566.211, or section 568.020;

43 (2) "Injury" or "illness", either a physical injury or
 44 illness or a psychological injury or illness. A
 45 psychological injury or illness need not be accompanied by
 46 physical injury or illness.

47 2. Any action to recover damages from injury or
 48 illness caused by childhood sexual abuse in an action
 49 brought pursuant to this section shall be commenced within
 50 [ten] fifteen years of the plaintiff attaining the age of
 51 twenty-one or within three years of the date the plaintiff
 52 discovers, or reasonably should have discovered, that the
 53 injury or illness was caused by childhood sexual abuse,
 54 whichever later occurs.

55 3. This section shall apply to any action commenced on
 56 or after August 28, [2004] 2024, including any action which
 57 would have been barred by the application of the statute of
 58 limitation applicable prior to that date.

59 556.036. 1. A prosecution for murder, rape in the
60 first degree, forcible rape, attempted rape in the first
61 degree, attempted forcible rape, sodomy in the first degree,
62 forcible sodomy, attempted sodomy in the first degree,
63 attempted forcible sodomy, or any class A felony may be
64 commenced at any time.

65 2. Except as otherwise provided in this section,
66 prosecutions for other offenses must be commenced within the
67 following periods of limitation:

68 (1) For any felony, three years, except as provided in
69 [subdivision] subdivisions (4) and (5) of this subsection;

70 (2) For any misdemeanor, one year;

71 (3) For any infraction, six months;

72 (4) For any violation of section 569.040, when
73 classified as a class B felony, or any violation of section
74 569.050 or 569.055, five years;

75 (5) For any violation of section 566.100 or any
76 violation of section 566.101, when classified as a class E
77 felony, fifteen years.

78 3. If the period prescribed in subsection 2 of this
79 section has expired, a prosecution may nevertheless be
80 commenced for:

81 (1) Any offense a material element of which is either
82 fraud or a breach of fiduciary obligation within one year
83 after discovery of the offense by an aggrieved party or by a
84 person who has a legal duty to represent an aggrieved party
85 and who is himself or herself not a party to the offense,
86 but in no case shall this provision extend the period of
87 limitation by more than three years. As used in this
88 subdivision, the term "person who has a legal duty to
89 represent an aggrieved party" shall mean the attorney
90 general or the prosecuting or circuit attorney having
91 jurisdiction pursuant to section 407.553, for purposes of

92 offenses committed pursuant to sections 407.511 to 407.556;
93 and

94 (2) Any offense based upon misconduct in office by a
95 public officer or employee at any time when the person is in
96 public office or employment or within two years thereafter,
97 but in no case shall this provision extend the period of
98 limitation by more than three years; and

99 (3) Any offense based upon an intentional and willful
100 fraudulent claim of child support arrearage to a public
101 servant in the performance of his or her duties within one
102 year after discovery of the offense, but in no case shall
103 this provision extend the period of limitation by more than
104 three years.

105 4. An offense is committed either when every element
106 occurs, or, if a legislative purpose to prohibit a
107 continuing course of conduct plainly appears, at the time
108 when the course of conduct or the person's complicity
109 therein is terminated. Time starts to run on the day after
110 the offense is committed.

111 5. A prosecution is commenced for a misdemeanor or
112 infraction when the information is filed and for a felony
113 when the complaint or indictment is filed.

114 6. The period of limitation does not run:

115 (1) During any time when the accused is absent from
116 the state, but in no case shall this provision extend the
117 period of limitation otherwise applicable by more than three
118 years;

119 (2) During any time when the accused is concealing
120 himself or herself from justice either within or without
121 this state;

122 (3) During any time when a prosecution against the
123 accused for the offense is pending in this state;

124 (4) During any time when the accused is found to lack
125 mental fitness to proceed pursuant to section 552.020; or

126 (5) During any period of time after which a DNA
127 profile is developed from evidence collected in relation to
128 the commission of a crime and included in a published
129 laboratory report until the date upon which the accused is
130 identified by name based upon a match between that DNA
131 evidence profile and the known DNA profile of the accused.
132 For purposes of this section, the term "DNA profile" means
133 the collective results of the DNA analysis of an evidence
134 sample."; and

135 Further amend the title and enacting clause accordingly.