

SECOND REGULAR SESSION

# SENATE BILL NO. 1245

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR THOMPSON REHDER.

4466S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 43.656, 67.2540, 168.071, 210.1080, 210.1505, 324.012, 329.050, 339.100, 491.075, 492.304, 537.046, 542.301, 566.010, 566.147, 566.148, 566.149, 566.150, 566.151, 566.155, 566.211, 566.218, 567.030, 573.010, 573.023, 573.025, 573.035, 573.037, 573.038, 573.050, 573.052, 573.215, 589.042, 589.400, 589.414, 650.120, and 660.520, RSMo, and to enact in lieu thereof thirty-seven new sections relating to the protection of children and vulnerable persons, with penalty provisions.

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

Section A. Sections 43.656, 67.2540, 168.071, 210.1080, 210.1505, 324.012, 329.050, 339.100, 491.075, 492.304, 537.046, 542.301, 566.010, 566.147, 566.148, 566.149, 566.150, 566.151, 566.155, 566.211, 566.218, 567.030, 573.010, 573.023, 573.025, 573.035, 573.037, 573.038, 573.050, 573.052, 573.215, 589.042, 589.400, 589.414, 650.120, and 660.520, RSMo, are repealed and thirty-seven new sections enacted in lieu thereof, to be known as sections 43.656, 67.2540, 168.071, 210.1080, 210.1505, 324.012, 329.050, 339.100, 491.075, 492.304, 537.046, 542.301, 566.010, 566.147, 566.148, 566.149, 566.150, 566.151, 566.155, 566.201, 566.211, 566.218, 567.030, 573.010, 573.023, 573.025, 573.035, 573.037, 573.038, 573.050, 573.052, 573.215, 589.042, 589.400, 589.414, 650.120, and 660.520, to read as follows:

43.656. It is hereby found and declared that:

(1) With the widespread use of computers, the internet and electronic devices to commit crimes and the critical lack of resources at state and local levels;

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

(2) Modern day criminals have learned to exploit the internet and electronic communication to leverage computer technology to reach a virtually unlimited number of victims while maintaining a maximum level of anonymity[,]. Computer crimes will continue to mount, especially in, but not limited to, the areas of child [pornography] **sexual abuse material** and sexual offenses involving children, consumer fraud and harassment;

(3) It is necessary for the protection of the citizens of this state that provisions be made for the establishment of the Missouri regional computer forensics lab to prevent and reduce computer, internet and other electronically based crimes.

67.2540. As used in sections 67.2540 to 67.2556, the following terms mean:

(1) "Adult cabaret", a nightclub, bar, restaurant, or similar establishment in which persons regularly appear in a state of nudity, as defined in section 573.500, or seminudity in the performance of their duties;

(2) "Employee", a person who is at least twenty-one years of age and who performs any service on the premises of a sexually oriented business on a full-time, part-time, or contract basis, whether or not the person is denominated an employee, independent contractor, agent, or otherwise, and whether or not said person is paid a salary, wage, or other compensation by the operator of said business. The term employee does not include a person exclusively on the premises for repair or maintenance of the premises or equipment on the premises, or for the delivery of goods to the premises;

(3) "Nudity" or a "state of nudity", the showing of the human male or female genitals, pubic area, vulva, anus,

anal cleft or anal cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernibly turgid state;

(4) "Nuisance", any place in or upon which lewdness, assignation, or prostitution is conducted, permitted, continued, or exists, or any place, in or upon which lewd, indecent, lascivious, or obscene films, or films designed to be projected for exhibition, are photographed, manufactured, developed, screened, exhibited, or otherwise prepared or shown, and the personal property and contents used in conducting and maintaining any such place for any such purpose. The provisions of this section shall not affect any newspaper, magazine, or other publication entered as second class matter by the post office department;

(5) "Person", an individual, proprietorship, partnership, corporation, association, or other legal entity;

(6) "Seminude" or in a "seminude condition", a state of dress in which opaque clothing fails to cover the genitals, anus, anal cleft or cleavage, pubic area, vulva, nipple and areola of the female breast below a horizontal line across the top of the areola at its highest point. Seminudity shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the human female breast exhibited by wearing apparel provided the areola is not exposed in whole or part;

(7) "Sexually oriented business", an adult cabaret or any business which offers its patrons goods of which a substantial or significant portion are sexually oriented material. It shall be presumed that a business that derives thirty percent or less of its revenue from sexually oriented

materials is presumed not to be a sexually oriented business. No building, premises, structure, or other facility that contains any sexually oriented business shall contain any other kind of sexually oriented business;

(8) "Sexually oriented materials", any pictorial or three-dimensional material, or film, motion picture, DVD, video cassette, or similar photographic reproduction, that depicts nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, as defined in section 573.010;

(9) "Specified criminal activity" includes the following offenses:

(a) Prostitution or promotion of prostitution; dissemination of obscenity; sale, distribution, or display of harmful material to a minor; sexual performance by a child; possession or distribution of child pornography **as it existed prior to August 28, 2024; possession or distribution of child sexual abuse material**; public lewdness; indecent exposure; indecency with a child; engaging in organized criminal activity; sexual assault; molestation of a child; gambling prohibited under Missouri law; or distribution of a controlled substance; or any similar offenses described in this subdivision under the criminal or penal code of other states or countries;

(b) For which:

a. Less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

b. Less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or

84 c. Less than five years have elapsed since the date of  
85 the last conviction or the date of release from confinement  
86 for the last conviction, whichever is the later date, if the  
87 convictions are of two or more misdemeanor offenses or  
88 combination of misdemeanor offenses occurring within any  
89 twenty-four-month period;

90 (c) The fact that a conviction is being appealed shall  
91 not prevent a sexually oriented business from being  
92 considered a nuisance and closed under section 67.2546;

93 (10) "Specified sexual activities" includes the  
94 following acts:

95 (a) The fondling or other erotic touching of human  
96 genitals, pubic region, buttocks, anus, or female breasts;

97 (b) Sex acts, actual or simulated, including  
98 intercourse, oral copulation, masturbation, or sodomy; or

99 (c) Excretory functions as part of or in connection  
100 with any of the activities set forth in this subdivision.

168.071. 1. The state board of education may refuse  
2 to issue or renew a certificate, or may, upon hearing,  
3 discipline the holder of a certificate of license to teach  
4 for the following causes:

5 (1) A certificate holder or applicant for a  
6 certificate has pleaded to or been found guilty of a felony  
7 or crime involving moral turpitude under the laws of this  
8 state, any other state, of the United States, or any other  
9 country, whether or not sentence is imposed;

10 (2) The certification was obtained through use of  
11 fraud, deception, misrepresentation or bribery;

12 (3) There is evidence of incompetence, immorality, or  
13 neglect of duty by the certificate holder;

14 (4) A certificate holder has been subject to  
15 disciplinary action relating to certification issued by

another state, territory, federal agency, or country upon grounds for which discipline is authorized in this section; or

(5) If charges are filed by the local board of education, based upon the annulling of a written contract with the local board of education, for reasons other than election to the general assembly, without the consent of the majority of the members of the board that is a party to the contract.

2. A public school district may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, including annulment of a written contract. Charges shall be in writing, specify the basis for the charges, and be signed by the chief administrative officer of the district, or by the president of the board of education as authorized by a majority of the board of education. The board of education may also petition the office of the attorney general to file charges on behalf of the school district for any cause other than annulment of contract, with acceptance of the petition at the discretion of the attorney general.

3. The department of elementary and secondary education may file charges seeking the discipline of a holder of a certificate of license to teach based upon any cause or combination of causes outlined in subsection 1 of this section, other than annulment of contract. Charges shall be in writing, specify the basis for the charges, and be signed by legal counsel representing the department of elementary and secondary education.

4. If the underlying conduct or actions which are the basis for charges filed pursuant to this section are also

the subject of a pending criminal charge against the person holding such certificate, the certificate holder may request, in writing, a delayed hearing on advice of counsel under the fifth amendment of the Constitution of the United States. Based upon such a request, no hearing shall be held until after a trial has been completed on this criminal charge.

5. The certificate holder shall be given not less than thirty days' notice of any hearing held pursuant to this section.

6. Other provisions of this section notwithstanding, the certificate of license to teach shall be revoked or, in the case of an applicant, a certificate shall not be issued, if the certificate holder or applicant has been found guilty of any of the following offenses established pursuant to Missouri law or offenses of a similar nature established under the laws of Missouri prior to January 1, 2017, any other state or of the United States, or any other country, whether or not the sentence is imposed:

(1) Any dangerous felony as defined in section 556.061, or murder in the first degree under section 565.020;

(2) Any of the following sexual offenses: rape in the first degree under section 566.030; forcible rape; rape; statutory rape in the first degree under section 566.032; statutory rape in the second degree under section 566.034; rape in the second degree under section 566.031; sexual assault under section 566.040 as it existed prior to August 28, 2013; sodomy in the first degree under section 566.060; forcible sodomy under section 566.060 as it existed prior to August 28, 2013; sodomy as it existed prior to January 1, 1995; statutory sodomy in the first degree under section 566.062; statutory sodomy in the second degree under section

566.064; child molestation in the first degree; child molestation in the second degree; child molestation in the third degree under section 566.069; child molestation in the fourth degree under section 566.071; sodomy in the second degree under section 566.061; deviate sexual assault under section 566.070 as it existed prior to August 28, 2013; sexual misconduct involving a child under section 566.083; sexual contact with a student under section 566.086; sexual misconduct in the first degree under section 566.093; sexual misconduct in the first degree under section 566.090 as it existed prior to August 28, 2013; sexual misconduct in the second degree under section 566.095; sexual misconduct in the second degree under section 566.093 as it existed prior to August 28, 2013; sexual misconduct in the third degree under section 566.095 as it existed prior to August 28, 2013; sexual abuse in the first degree under section 566.100; sexual abuse under section 566.100 as it existed prior to August 28, 2013; sexual abuse in the second degree under section 566.101; enticement of a child under section 566.151; or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest under section 568.020; abandonment of child in the first degree under section 568.030; abandonment of child in the second degree under section 568.032; endangering the welfare of a child in the first degree under section 568.045; abuse of a child under section 568.060; child used in a sexual performance; promoting sexual performance by a child; or trafficking in children under section 568.175; and

(4) Any of the following offenses involving child pornography **as it existed prior to August 28, 2024, or child sexual abuse material** and related offenses: promoting



112 obscenity in the first degree under section 573.020;  
113 promoting pornography for minors or obscenity in the second  
114 degree when the penalty is enhanced to a class E felony  
115 under section 573.030; promoting child pornography in the  
116 first degree under section 573.025 **as it existed prior to**  
117 **August 28, 2024; promoting child sexual abuse material in**  
118 **the first degree under section 573.025;** promoting child  
119 pornography in the second degree under section 573.035 **as it**  
120 **existed prior to August 28, 2024; promoting child sexual**  
121 **abuse material in the second degree under section 573.035;**  
122 possession of child pornography under section 573.037 **as it**  
123 **existed prior to August 28, 2024; possession of child sexual**  
124 **abuse material under section 573.037;** furnishing  
125 pornographic materials to minors under section 573.040; or  
126 coercing acceptance of obscene material under section  
127 573.065.

128       7. When a certificate holder is found guilty of any  
129 offense that would authorize the state board of education to  
130 seek discipline against that holder's certificate of license  
131 to teach, the local board of education or the department of  
132 elementary and secondary education shall immediately provide  
133 written notice to the state board of education and the  
134 attorney general regarding the finding of guilt.

135       8. The certificate holder whose certificate was  
136 revoked pursuant to subsection 6 of this section may appeal  
137 such revocation to the state board of education. Notice of  
138 this appeal must be received by the commissioner of  
139 education within ninety days of notice of revocation  
140 pursuant to this subsection. Failure of the certificate  
141 holder to notify the commissioner of the intent to appeal  
142 waives all rights to appeal the revocation. Upon notice of  
143 the certificate holder's intent to appeal, an appeal hearing

144 shall be held by a hearing officer designated by the  
145 commissioner of education, with the final decision made by  
146 the state board of education, based upon the record of that  
147 hearing. The certificate holder shall be given not less  
148 than thirty days' notice of the hearing, and an opportunity  
149 to be heard by the hearing officer, together with witnesses.

150 9. In the case of any certificate holder who has  
151 surrendered or failed to renew his or her certificate of  
152 license to teach, the state board of education may refuse to  
153 issue or renew, or may suspend or revoke, such certificate  
154 for any of the reasons contained in this section.

155 10. In those cases where the charges filed pursuant to  
156 this section are based upon an allegation of misconduct  
157 involving a minor child, the hearing officer may accept into  
158 the record the sworn testimony of the minor child relating  
159 to the misconduct received in any court or administrative  
160 hearing.

161 11. Hearings, appeals or other matters involving  
162 certificate holders, licensees or applicants pursuant to  
163 this section may be informally resolved by consent agreement  
164 or agreed settlement or voluntary surrender of the  
165 certificate of license pursuant to the rules promulgated by  
166 the state board of education.

167 12. The final decision of the state board of education  
168 is subject to judicial review pursuant to sections 536.100  
169 to 536.140.

170 13. A certificate of license to teach to an individual  
171 who has been convicted of a felony or crime involving moral  
172 turpitude, whether or not sentence is imposed, shall be  
173 issued only upon motion of the state board of education  
174 adopted by a unanimous affirmative vote of those members  
175 present and voting.

210.1080. 1. As used in this section, the following  
2 terms mean:

3 (1) "Child care provider", a person licensed,  
4 regulated, or registered to provide child care within the  
5 state of Missouri, including the member or members, manager  
6 or managers, shareholder or shareholders, director or  
7 directors, and officer or officers of any entity licensed,  
8 regulated, or registered to provide child care within the  
9 state of Missouri;

10 (2) "Child care staff member", a child care provider;  
11 persons employed by the child care provider for  
12 compensation, including contract employees or self-employed  
13 individuals; individuals or volunteers whose activities  
14 involve the care or supervision of children for a child care  
15 provider or unsupervised access to children who are cared  
16 for or supervised by a child care provider; individuals  
17 residing in a home where child care is provided who are  
18 eighteen years of age or older; or individuals residing in a  
19 home where child care is provided who are under eighteen  
20 years of age and have been certified as an adult for the  
21 commission of an offense;

22 (3) "Criminal background check":

23 (a) A Federal Bureau of Investigation fingerprint  
24 check;

25 (b) A search of the National Crime Information  
26 Center's National Sex Offender Registry; and

27 (c) A search of the following registries,  
28 repositories, or databases in Missouri, the state where the  
29 child care staff member resides, and each state where such  
30 staff member resided during the preceding five years:

31           a. The state criminal registry or repository, with the  
32 use of fingerprints being required in the state where the  
33 staff member resides and optional in other states;

34           b. The state sex offender registry or repository; and

35           c. The state-based child abuse and neglect registry  
36 and database;

37           (4) "Department", the department of elementary and  
38 secondary education;

39           (5) "Qualifying result" or "qualifying criminal  
40 background check", a finding that a child care staff member  
41 or prospective child care staff member is eligible for  
42 employment or presence in a child care setting described  
43 under this section.

44           2. (1) Prior to the employment or presence of a child  
45 care staff member in a licensed, license-exempt, or  
46 unlicensed registered child care facility, the child care  
47 provider shall request the results of a criminal background  
48 check for such child care staff member from the department.

49           (2) A prospective child care staff member may begin  
50 work for a child care provider after receiving the  
51 qualifying result of either a Federal Bureau of  
52 Investigation fingerprint check or a search of the Missouri  
53 criminal registry or repository with the use of  
54 fingerprints; however, pending completion of the criminal  
55 background check, the prospective child care staff member  
56 shall be supervised at all times by another child care staff  
57 member who received a qualifying result on the criminal  
58 background check within the past five years.

59           (3) Any individual who meets the definition of child  
60 care provider but is not responsible for the oversight or  
61 direction of the child care facility and does not have  
62 independent access to the child care facility shall not **be**

63 required to request the results of a criminal background  
64 check under this section; however, such individual shall be  
65 accompanied by an individual with a qualifying criminal  
66 background check in order to be present at the child care  
67 facility during child care hours.

68         3. The costs of the criminal background check shall be  
69 the responsibility of the child care staff member, but may  
70 be paid or reimbursed by the child care provider at the  
71 provider's discretion. The fees charged for the criminal  
72 background check shall not exceed the actual cost of  
73 processing and administration.

74         4. Upon completion of the criminal background check,  
75 any child care staff member or prospective child care staff  
76 member shall be ineligible for employment or presence at a  
77 licensed or license-exempt child care facility or an  
78 unlicensed child care facility registered with the  
79 department and shall be disqualified from receipt of state  
80 or federal funds for providing child care services either by  
81 direct payment or through reimbursement to an individual who  
82 receives child care benefits if such person:

83             (1) Refuses to consent to the criminal background  
84 check as required by this section;

85             (2) Knowingly makes a materially false statement in  
86 connection with the criminal background check as required by  
87 this section;

88             (3) Is registered, or is required to be registered, on  
89 a state sex offender registry or repository or the National  
90 Sex Offender Registry;

91             (4) Is listed as a perpetrator of child abuse or  
92 neglect under sections 210.109 to 210.183 or any other  
93 finding of child abuse or neglect based on any other state's  
94 registry or database; or

(5) Has pled guilty or nolo contendere to or been found guilty of:

(a) Any felony for an offense against the person as defined in chapter 565;

(b) Any other offense against the person involving the endangerment of a child as prescribed by law;

(c) Any misdemeanor or felony for a sexual offense as defined in chapter 566;

(d) Any misdemeanor or felony for an offense against the family as defined in chapter 568;

(e) Burglary in the first degree as defined in 569.160;

(f) Any misdemeanor or felony for robbery as defined in chapter 570;

(g) Any misdemeanor or felony for pornography or related offense as defined in chapter 573;

(h) Any felony for arson as defined in chapter 569;

(i) Any felony for armed criminal action as defined in section 571.015, unlawful use of a weapon as defined in section 571.030, unlawful possession of a firearm as defined in section 571.070, or the unlawful possession of an explosive as defined in section 571.072;

(j) Any felony for making a terrorist threat as defined in section 574.115, 574.120, or 574.125;

(k) A felony drug-related offense committed during the preceding five years; or

(l) Any similar offense in any federal, state, municipal, or other court of similar jurisdiction of which the department has knowledge.

5. Household members eighteen years of age or older, or household members under eighteen years of age who have been certified as an adult for the commission of an offense, shall be ineligible to maintain a presence at a home where

child care is provided during child care hours if any one or more of the provisions of subsection 4 of this section apply to such members.

6. A child care provider may also be disqualified from receipt of state or federal funds for providing child care services either by direct payment or through reimbursement to an individual who receives child care benefits if such person, or any person eighteen years of age or older residing in the household in which child care is being provided, excluding child care provided in the child's home, has been refused licensure or has experienced licensure suspension or revocation under section 210.221 or 210.496.

7. A child care provider shall not be required to submit a request for a criminal background check under this section for a child care staff member if:

(1) The staff member received a qualifying criminal background check within five years before the latest date on which such a submission may be made and while employed by or seeking employment by another child care provider within Missouri;

(2) The departments of elementary and secondary education, health and senior services, or [of] social services provided to the first provider a qualifying criminal background check result, consistent with this section, for the staff member; and

(3) The staff member is employed by a child care provider within Missouri or has been separated from employment from a child care provider within Missouri for a period of not more than one hundred eighty consecutive days.

8. (1) The department shall process the request for a criminal background check for any prospective child care staff member or child care staff member as expeditiously as

159 possible, but not to exceed forty-five days after the date  
160 on which the provider submitted the request.

161 (2) The department shall provide the results of the  
162 criminal background check to the child care provider in a  
163 statement that indicates whether the prospective child care  
164 staff member or child care staff member is eligible or  
165 ineligible for employment or presence at the child care  
166 facility or receipt of state or federal funds for providing  
167 child care services either by direct payment or through  
168 reimbursement to an individual who receives child care  
169 benefits. The department shall not reveal to the child care  
170 provider any disqualifying crime or other related  
171 information regarding the prospective child care staff  
172 member or child care staff member.

173 (3) If such prospective child care staff member or  
174 child care staff member is ineligible for employment or  
175 presence at the child care facility, the department shall,  
176 when providing the results of criminal background check,  
177 include information related to each disqualifying crime or  
178 other related information, in a report to such prospective  
179 child care staff member or child care staff member, along  
180 with information regarding the opportunity to appeal under  
181 subsection 9 of this section.

182 (4) If a prospective child care provider or child care  
183 provider has been denied state or federal funds by the  
184 department for providing child care, he or she may appeal  
185 such denial to the department pursuant to section 210.027.

186 9. (1) The prospective child care staff member or  
187 child care staff member may appeal a finding of  
188 ineligibility for employment or presence at a child care  
189 facility in writing to the department to challenge the  
190 accuracy or completeness of the information contained in his



191 or her criminal background check if his or her finding of  
192 ineligibility is based on one or more of the following  
193 offenses:

- 194 (a) Murder, as described in 18 U.S.C. Section 1111;
- 195 (b) Felony child abuse or neglect;
- 196 (c) A felony crime against children, including child  
197 pornography **as it existed prior to August 28, 2024, or child**  
198 **sexual abuse material;**
- 199 (d) Felony spousal abuse;
- 200 (e) A felony crime involving rape or sexual assault;
- 201 (f) Felony kidnapping;
- 202 (g) Felony arson;
- 203 (h) Felony physical assault or battery;
- 204 (i) A violent misdemeanor offense committed as an  
205 adult against a child, including the offense of child abuse,  
206 child endangerment, or sexual assault, or a misdemeanor  
207 offense involving child pornography **as it existed prior to**  
208 **August 28, 2024, or child sexual abuse material;** or
- 209 (j) Any similar offense in any federal, state,  
210 municipal, or other court.

211 (2) If a finding of ineligibility is based on an  
212 offense not provided for in subdivision (1) of this  
213 subsection, the prospective child care staff member or child  
214 care staff member may appeal to challenge the accuracy or  
215 completeness of the information contained in his or her  
216 criminal background check or to offer information mitigating  
217 the results and explaining why an eligibility exception  
218 should be granted.

219 (3) The written appeal shall be filed with the  
220 department within ten days from the mailing of the notice of  
221 ineligibility. The department shall attempt to verify the  
222 accuracy of the information challenged by the individual,

including making an effort to locate any missing disposition information related to the disqualifying offense. After the department verifies the accuracy of the information challenged by the individual, the department shall make a final decision on the written appeal, and such decision shall be made in a timely manner. Such decision shall be considered a noncontested final agency decision by the department, appealable under section 536.150. Such decision shall be appealed within thirty days of the mailing of the decision.

10. Nothing in this section shall prohibit the department from requiring more frequent checks of the family care safety registry established under section 210.903 or the central registry for child abuse established under section 210.109 in order to determine eligibility for employment or presence at the child care facility or receipt of state or federal funds for providing child care services either by direct payment or through reimbursement to an individual who receives child care benefits.

11. The department may adopt emergency rules to implement the requirements of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2018, shall be invalid and void.

255        12. The provisions of this section shall not apply to  
256 any child care facility, as defined in section 210.201,  
257 maintained or operated under the exclusive control of a  
258 religious organization, as described in subdivision (17) of  
259 subsection 1 of section 210.211, unless such facility is a  
260 recipient of federal funds for providing care for children,  
261 except for federal funds for those programs that meet the  
262 requirements for participation in the Child and Adult Care  
263 Food Program under 42 U.S.C. Section 1766.

210.1505. 1. There is hereby created the "Statewide  
2 Council **[on Sex] Against Adult** Trafficking and **the**  
3 **Commercial** Sexual Exploitation of Children" **[to] within the**  
4 **office of the attorney general to coordinate a statewide**  
5 **effort against the trafficking of adults and children within**  
6 **the state of Missouri. The council shall** consist of the  
7 following members:

8        (1) **[The following four members of the general**  
9 **assembly:**

10        (a) Two members of the senate, with one member to be  
11 appointed by the president pro tempore of the senate and one  
12 member to be appointed by the minority floor leader of the  
13 senate; and

14        (b) Two members of the house of representatives, with  
15 one member to be appointed by the speaker of the house of  
16 representatives and one member to be appointed by the  
17 minority floor leader of the house of representatives]

18 **The**  
19 **attorney general or his or her designee, who shall serve as**  
20 **the chair of the council;**

21        (2) The director of the children's division or his or  
22 her designee;

23        (3) The director of the department of public safety or  
his or her designee;

24           (4) The director of the department of mental health or  
25 his or her designee;

26           (5) The director of the office of prosecution services  
27 or his or her designee;

28           (6) The superintendent of the Missouri state highway  
29 patrol or his or her designee;

30           (7) The executive director of the statewide network of  
31 child advocacy organizations [specializing in the prevention  
32 of child abuse or neglect] or his or her designee;

33           (8) The executive director of the statewide coalition  
34 against domestic and sexual violence or his or her designee;

35           (9) The executive director of the Missouri Juvenile  
36 Justice Association or his or her designee;

37           (10) The director of the attorney general's human  
38 trafficking task force or his or her designee;

39           (11) Two representatives from agencies providing  
40 services to victims of child sex trafficking and sexual  
41 exploitation [who reflect the geographic diversity of the  
42 state and who shall be appointed by the director of the  
43 department of social services]; [and]

44           (12) **Two members of the senate to be appointed by the**  
45 **president pro tempore of the senate;**

46           (13) **Two members of the house of representatives to be**  
47 **appointed by the speaker of the house of representatives;**

48           (14) A member of the judiciary, who shall be appointed  
49 by the **Missouri** supreme court;

50           (15) **The commissioner of the department of elementary**  
51 **and secondary education or his or her designee;**

52           (16) **A designee from the governor's office;**

53           (17) **Two human trafficking survivors identified by a**  
54 **children's advocacy center who are willing to serve on the**  
55 **council; and**

56           **(18) Any other nongovernment organization deemed**  
57 **necessary by the attorney general.**

58           2. A majority of the members of the council shall  
59 constitute a quorum. The council shall **be created within**  
60 **thirty days of August 28, 2024, and shall** hold its first  
61 meeting within thirty days after the council's creation [and  
62 organize by selecting a chair and a vice chair]. The  
63 council shall meet at [the call of the chair] **least**  
64 **quarterly. The council may create a subgroup to address**  
65 **specific issues deemed necessary.**

66           3. [The council shall:

67           (1) Collect and analyze data relating to sex  
68 trafficking and sexual exploitation of children, including  
69 the number of reports made to the children's division under  
70 section 210.115, any information obtained from phone calls  
71 to the national sex trafficking hotline, the number of  
72 reports made to law enforcement, arrests, prosecution rates,  
73 and any other data important for any recommendations of the  
74 council. State departments and council members shall  
75 provide relevant data as requested by the council to fulfill  
76 the council's duties; and

77           (2) Collect feedback from stakeholders, practitioners,  
78 and leadership throughout the state in order to develop best  
79 practices and procedures regarding the response to sex  
80 trafficking and sexual exploitation of children, including  
81 identification and assessment of victims; response and  
82 treatment coordination and collaboration across systems;  
83 trauma-informed, culturally competent victim-centered  
84 services; training for professionals in all systems; and  
85 investigating and prosecuting perpetrators.

86           4.] The [department of social services] **attorney**  
87 **general** shall provide administrative support to the council.

88           [5.] 4. [On or before December 31, 2023, the council  
89 shall submit a report of the council's activities to the  
90 governor and general assembly and the joint committee on  
91 child abuse and neglect under section 21.771. The report  
92 shall include recommendations for priority needs and  
93 actions, including statutory or regulatory changes relating  
94 to the response to sex trafficking and sexual exploitation  
95 of children and services for child victims.

96           6. The council shall expire on December 31, 2023] (1)  
97 There is hereby created in the state treasury the "Anti-  
98 Trafficking Fund", which shall consist of moneys  
99 appropriated to it by the general assembly and any grants,  
100 gifts, donations, and bequests. The state treasurer shall  
101 be custodian of the fund. In accordance with sections  
102 30.170 and 30.180, the state treasurer may approve  
103 disbursements. The fund shall be a dedicated fund and, upon  
104 appropriation, moneys in this fund shall be used solely to  
105 pay for the position of the executive director of the  
106 statewide council against adult trafficking and the  
107 commercial exploitation of children, education and awareness  
108 regarding human trafficking, and anti-trafficking efforts  
109 throughout the state of Missouri.

110           (2) Notwithstanding the provisions of section 33.080  
111 to the contrary, any moneys remaining in the fund at the end  
112 of the biennium shall not revert to the credit of the  
113 general revenue fund.

114           (3) The state treasurer shall invest moneys in the  
115 fund in the same manner as other funds are invested. Any  
116 interest and moneys earned on such investments shall be  
117 credited to the fund.

324.012. 1. This section shall be known and may be  
2 cited as the "Fresh Start Act of 2020".

3           2. As used in this section, the following terms mean:

4           (1) "Criminal conviction", any conviction, finding of  
5 guilt, plea of guilty, or plea of nolo contendere;

6           (2) "Licensing", any required training, education, or  
7 fee to work in a specific occupation, profession, or  
8 activity in the state;

9           (3) "Licensing authority", an agency, examining board,  
10 credentialing board, or other office of the state with the  
11 authority to impose occupational fees or licensing  
12 requirements on any profession. For purposes of the  
13 provisions of this section other than subsection 7 of this  
14 section, the term "licensing authority" shall not include  
15 the state board of education's licensure of teachers  
16 pursuant to chapter 168, the Missouri state board of  
17 accountant's licensure of accountants pursuant to chapter  
18 326, the board of podiatric medicine's licensure of  
19 podiatrists pursuant to chapter 330, the Missouri dental  
20 board's licensure of dentists pursuant to chapter 332, the  
21 state board of registration for the healing art's licensure  
22 of physicians and surgeons pursuant to chapter 334, the  
23 Missouri state board of nursing's licensure of nurses  
24 pursuant to chapter 335, the board of pharmacy's licensure  
25 of pharmacists pursuant to chapter 338, the Missouri real  
26 estate commission's licensure of real estate brokers, real  
27 estate salespersons, or real estate broker-salespersons  
28 pursuant to sections 339.010 to 339.205, the Missouri  
29 veterinary medical board's licensure of veterinarian's  
30 pursuant to chapter 340, the Missouri director of finance  
31 appointed pursuant to chapter 361, or the peace officer  
32 standards and training commission's licensure of peace  
33 officers or other law enforcement personnel pursuant to  
34 chapter 590;

35           (4) "Political subdivision", a city, town, village,  
36 municipality, or county.

37           3. Notwithstanding any other provision of law,  
38 beginning January 1, 2021, no person shall be disqualified  
39 by a state licensing authority from pursuing, practicing, or  
40 engaging in any occupation for which a license is required  
41 solely or in part because of a prior conviction of a crime  
42 in this state or another state, unless the criminal  
43 conviction directly relates to the duties and  
44 responsibilities for the licensed occupation as set forth in  
45 this section or is violent or sexual in nature.

46           4. Beginning August 28, 2020, applicants for  
47 examination of licensure who have pleaded guilty to, entered  
48 a plea of nolo contendere to, or been found guilty of any of  
49 the following offenses or offenses of a similar nature  
50 established under the laws of this state, any other state,  
51 United States, or any other country, notwithstanding whether  
52 sentence is imposed, shall be considered by state licensing  
53 authorities to have committed a criminal offense that  
54 directly relates to the duties and responsibilities of a  
55 licensed profession:

56           (1) Any murder in the first degree, or dangerous  
57 felony as defined under section 556.061 excluding an  
58 intoxication-related traffic offense or intoxication-related  
59 boating offense if the person is found to be a habitual  
60 offender or habitual boating offender as such terms are  
61 defined in section 577.001;

62           (2) Any of the following sexual offenses: rape in the  
63 first degree, forcible rape, rape, statutory rape in the  
64 first degree, statutory rape in the second degree, rape in  
65 the second degree, sexual assault, sodomy in the first  
66 degree, forcible sodomy, statutory sodomy in the first



degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree under section 566.090 as it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children; and

(4) Any of the following offenses involving child pornography **as it existed prior to August 28, 2024, or child sexual abuse material** and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class E felony, promoting child pornography in the first degree **as it existed prior to August 28, 2024, promoting child sexual abuse material in the first degree**, promoting child pornography in the second degree **as it existed prior to August 28, 2024, promoting child sexual abuse material in the second degree**, possession of child pornography in the first degree **as it existed prior to August 28, 2024, possession of child sexual abuse material in the first degree**, possession of child pornography in the second degree **as it existed prior to August 28, 2024, possession of child sexual abuse material in the second degree**, furnishing child

99 pornography to a minor **as it existed prior to August 28,**  
100 **2024, furnishing child sexual abuse material to a minor,**  
101 furnishing pornographic materials to minors, or coercing  
102 acceptance of obscene material;

103 (5) The offense of delivery of a controlled substance,  
104 as provided in section 579.020, may be a disqualifying  
105 criminal offense for the following occupations: real estate  
106 appraisers and appraisal management companies, licensed  
107 pursuant to sections 339.500 to 339.549; and nursing home  
108 administrators, licensed pursuant to chapter 344; and

109 (6) Any offense an essential element of which is fraud  
110 may be a disqualifying criminal offense for the following  
111 occupations: private investigators, licensed pursuant to  
112 sections 324.1100 to 324.1148; accountants, licensed  
113 pursuant to chapter 326; architects, licensed pursuant to  
114 sections 327.091 to 327.172; engineers, licensed pursuant to  
115 sections 327.181 to 327.271; land surveyors, licensed  
116 pursuant to sections 327.272 to 327.371; landscape  
117 architects, licensed pursuant to sections 327.600 to  
118 327.635; chiropractors, licensed pursuant to chapter 331;  
119 embalmers and funeral directors, licensed pursuant to  
120 chapter 333; real estate appraisers and appraisal management  
121 companies, licensed pursuant to sections 339.500 to 339.549;  
122 and nursing home administrators, licensed pursuant to  
123 chapter 344.

124 5. If an individual is charged with any of the crimes  
125 set forth in subsection 4 of this section, and is convicted,  
126 pleads guilty to, or is found guilty of a lesser-included  
127 offense and is sentenced to a period of incarceration, such  
128 conviction shall only be considered by state licensing  
129 authorities as a criminal offense that directly relates to  
130 the duties and responsibilities of a licensed profession for

four years, beginning on the date such individual is released from incarceration.

6. (1) The licensing authority shall determine whether an applicant with a criminal conviction will be denied a license based on the following factors:

(a) The nature and seriousness of the crime for which the individual was convicted;

(b) The passage of time since the commission of the crime, including consideration of the factors listed under subdivision (2) of this subsection;

(c) The relationship of the crime to the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation; and

(d) Any evidence of rehabilitation or treatment undertaken by the individual that might mitigate against a direct relation.

(2) If an individual has a valid criminal conviction for a criminal offense that could disqualify the individual from receiving a license, the disqualification shall not apply to an individual who has been exonerated for a crime for which he or she has previously been convicted of or incarcerated.

7. An individual with a criminal record may petition a licensing authority at any time for a determination of whether the individual's criminal record will disqualify the individual from obtaining a license. This petition shall include details on the individual's criminal record. The licensing authority shall inform the individual of his or her standing within thirty days after the licensing authority has met, but in no event more than four months after receiving the petition from the applicant. The decision shall be binding, unless the individual has

subsequent criminal convictions or failed to disclose information in his or her petition. If the decision is that the individual is disqualified, the individual shall be notified in writing of the grounds and reasons for disqualification. The licensing authority may charge a fee by rule to recoup its costs as set by rulemaking authority not to exceed twenty-five dollars for each petition.

8. (1) If a licensing authority denies an individual a license solely or in part because of the individual's prior conviction of a crime, the licensing authority shall notify the individual in writing of the following:

(a) The grounds and reasons for the denial or disqualification;

(b) That the individual has the right to a hearing as provided by chapter 621 to challenge the licensing authority's decision;

(c) The earliest date the person may reapply for a license; and

(d) That evidence of rehabilitation may be considered upon reapplication.

(2) Any written determination by the licensing authority that an applicant's criminal conviction is a specifically listed disqualifying conviction and is directly related to the duties and responsibilities for the licensed occupation shall be documented with written findings for each of the grounds or reasons under paragraph (a) of subdivision (1) of this subsection by clear and convincing evidence sufficient for a reviewing court.

(3) In any administrative hearing or civil litigation authorized under this subsection, the licensing authority shall carry the burden of proof on the question of whether

194 the applicant's criminal conviction directly relates to the  
195 occupation for which the license is sought.

196 9. The provisions of this section shall apply to any  
197 profession for which an occupational license is issued in  
198 this state, including any new occupational license created  
199 by a state licensing authority after August 28, 2020.  
200 Notwithstanding any other provision of law, political  
201 subdivisions shall be prohibited from creating any new  
202 occupational licenses after August 28, 2020. The provisions  
203 of this section shall not apply to business licenses, where  
204 the terms "occupational licenses" and "business licenses"  
205 are used interchangeably in a city or county charter  
206 definition.

329.050. 1. Applicants for examination or licensure  
2 pursuant to this chapter shall possess the following  
3 qualifications:

4 (1) They shall provide documentation of successful  
5 completion of courses approved by the board, have an  
6 education equivalent to the successful completion of the  
7 tenth grade, and be at least seventeen years of age;

8 (2) If the applicants are apprentices, they shall have  
9 served and completed, as an apprentice under the supervision  
10 of a licensed cosmetologist, the time and studies required  
11 by the board which shall be no less than three thousand  
12 hours for cosmetologists, and no less than eight hundred  
13 hours for manicurists and no less than fifteen hundred hours  
14 for esthetics. However, when the classified occupation of  
15 manicurist is apprenticed in conjunction with the classified  
16 occupation of cosmetologist, the apprentice shall be  
17 required to successfully complete an apprenticeship of no  
18 less than a total of three thousand hours;

19           (3) If the applicants are students, they shall have  
20 had the required time in a licensed school of no less than  
21 one thousand five hundred hours training or the credit hours  
22 determined by the formula in Subpart A of Part 668 of  
23 Section 668.8 of Title 34 of the Code of Federal  
24 Regulations, as amended, for the classification of  
25 cosmetologist, with the exception of public vocational  
26 technical schools in which a student shall complete no less  
27 than one thousand two hundred twenty hours training. All  
28 students shall complete no less than four hundred hours or  
29 the credit hours determined by the formula in Subpart A of  
30 Part 668 of Section 668.8 of Title 34 of the Code of Federal  
31 Regulations, as amended, for the classification of  
32 manicurist. All students shall complete no less than seven  
33 hundred fifty hours or the credit hours determined by the  
34 formula in Subpart A of Part 668 of Section 668.8 of Title  
35 34 of the Code of Federal Regulations, as amended, for the  
36 classification of esthetician. However, when the classified  
37 occupation of manicurist is taken in conjunction with the  
38 classified occupation of cosmetologist, the student shall  
39 not be required to serve the extra four hundred hours or the  
40 credit hours determined by the formula in Subpart A of Part  
41 668 of Section 668.8 of Title 34 of the Code of Federal  
42 Regulations, as amended, otherwise required to include  
43 manicuring of nails; and

44           (4) They shall have passed an examination to the  
45 satisfaction of the board.

46           2. A person may apply to take the examination required  
47 by subsection 1 of this section if the person is a graduate  
48 of a school of cosmetology or apprentice program in another  
49 state or territory of the United States which has  
50 substantially the same requirements as an educational

51 establishment licensed pursuant to this chapter. A person  
52 may apply to take the examination required by subsection 1  
53 of this section if the person is a graduate of an  
54 educational establishment in a foreign country that provides  
55 training for a classified occupation of cosmetology, as  
56 defined by section 329.010, and has educational requirements  
57 that are substantially the same requirements as an  
58 educational establishment licensed under this chapter. The  
59 board has sole discretion to determine the substantial  
60 equivalency of such educational requirements. The board may  
61 require that transcripts from foreign schools be submitted  
62 for its review, and the board may require that the applicant  
63 provide an approved English translation of such transcripts.

64 3. Each application shall contain a statement that,  
65 subject to the penalties of making a false affidavit or  
66 declaration, the application is made under oath or  
67 affirmation and that its representations are true and  
68 correct to the best knowledge and belief of the person  
69 signing the application.

70 4. The sufficiency of the qualifications of applicants  
71 shall be determined by the board, but the board may delegate  
72 this authority to its executive director subject to such  
73 provisions as the board may adopt.

74 5. Applications for examination or licensure may be  
75 denied if the applicant has pleaded guilty to, entered a  
76 plea of nolo contendere to, or been found guilty of any of  
77 the following offenses or offenses of a similar nature  
78 established under the laws of this state, any other state,  
79 the United States, or any other country, notwithstanding  
80 whether sentence is imposed:

81 (1) Any dangerous felony as defined under section  
82 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: rape in the first degree, forcible rape, rape, statutory rape in the first degree, statutory rape in the second degree, rape in the second degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree under section 566.090 as it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance, promoting sexual performance by a child, or trafficking in children; and

(4) Any of the following offenses involving child pornography **as it existed prior to August 28, 2024, or child sexual abuse material** and related offenses: promoting obscenity in the first degree, promoting obscenity in the second degree when the penalty is enhanced to a class E felony, promoting child pornography in the first degree **as it existed prior to August 28, 2024, promoting child sexual abuse material in the first degree**, promoting child pornography in the second degree **as it existed prior to August 28, 2024, promoting child sexual abuse material in the second degree**, possession of child pornography in the



115 first degree **as it existed prior to August 28, 2024,**  
116 **possession of child sexual abuse material in the first**  
117 **degree,** possession of child pornography in the second degree  
118 **as it existed prior to August 28, 2024, possession of child**  
119 **sexual abuse material in the second degree,** furnishing child  
120 pornography to a minor **as it existed prior to August 28,**  
121 **2024, furnishing child sexual abuse material to a minor,**  
122 furnishing pornographic materials to minors, or coercing  
123 acceptance of obscene material.

339.100. 1. The commission may, upon its own motion,  
2 and shall upon receipt of a written complaint filed by any  
3 person, investigate any real estate-related activity of a  
4 licensee licensed under sections 339.010 to 339.180 and  
5 sections 339.710 to 339.860 or an individual or entity  
6 acting as or representing themselves as a real estate  
7 licensee. In conducting such investigation, if the  
8 questioned activity or written complaint involves an  
9 affiliated licensee, the commission may forward a copy of  
10 the information received to the affiliated licensee's  
11 designated broker. The commission shall have the power to  
12 hold an investigatory hearing to determine whether there is  
13 a probability of a violation of sections 339.010 to 339.180  
14 and sections 339.710 to 339.860. The commission shall have  
15 the power to issue a subpoena to compel the production of  
16 records and papers bearing on the complaint. The commission  
17 shall have the power to issue a subpoena and to compel any  
18 person in this state to come before the commission to offer  
19 testimony or any material specified in the subpoena.  
20 Subpoenas and subpoenas duces tecum issued pursuant to this  
21 section shall be served in the same manner as subpoenas in a  
22 criminal case. The fees and mileage of witnesses shall be  
23 the same as that allowed in the circuit court in civil cases.

24           2. The commission may cause a complaint to be filed  
25 with the administrative hearing commission as provided by  
26 the provisions of chapter 621 against any person or entity  
27 licensed under this chapter or any licensee who has failed  
28 to renew or has surrendered his or her individual or entity  
29 license for any one or any combination of the following acts:

30           (1) Failure to maintain and deposit in a special  
31 account, separate and apart from his or her personal or  
32 other business accounts, all moneys belonging to others  
33 entrusted to him or her while acting as a real estate broker  
34 or as the temporary custodian of the funds of others, until  
35 the transaction involved is consummated or terminated,  
36 unless all parties having an interest in the funds have  
37 agreed otherwise in writing;

38           (2) Making substantial misrepresentations or false  
39 promises or suppression, concealment or omission of material  
40 facts in the conduct of his or her business or pursuing a  
41 flagrant and continued course of misrepresentation through  
42 agents, salespersons, advertising or otherwise in any  
43 transaction;

44           (3) Failing within a reasonable time to account for or  
45 to remit any moneys, valuable documents or other property,  
46 coming into his or her possession, which belongs to others;

47           (4) Representing to any lender, guaranteeing agency,  
48 or any other interested party, either verbally or through  
49 the preparation of false documents, an amount in excess of  
50 the true and actual sale price of the real estate or terms  
51 differing from those actually agreed upon;

52           (5) Failure to timely deliver a duplicate original of  
53 any and all instruments to any party or parties executing  
54 the same where the instruments have been prepared by the  
55 licensee or under his or her supervision or are within his

56 or her control, including, but not limited to, the  
57 instruments relating to the employment of the licensee or to  
58 any matter pertaining to the consummation of a lease,  
59 listing agreement or the purchase, sale, exchange or lease  
60 of property, or any type of real estate transaction in which  
61 he or she may participate as a licensee;

62 (6) Acting for more than one party in a transaction  
63 without the knowledge of all parties for whom he or she  
64 acts, or accepting a commission or valuable consideration  
65 for services from more than one party in a real estate  
66 transaction without the knowledge of all parties to the  
67 transaction;

68 (7) Paying a commission or valuable consideration to  
69 any person for acts or services performed in violation of  
70 sections 339.010 to 339.180 and sections 339.710 to 339.860;

71 (8) Guaranteeing or having authorized or permitted any  
72 licensee to guarantee future profits which may result from  
73 the resale of real property;

74 (9) Having been finally adjudicated and been found  
75 guilty of the violation of any state or federal statute  
76 which governs the sale or rental of real property or the  
77 conduct of the real estate business as defined in subsection  
78 1 of section 339.010;

79 (10) Obtaining a certificate or registration of  
80 authority, permit or license for himself or herself or  
81 anyone else by false or fraudulent representation, fraud or  
82 deceit;

83 (11) Representing a real estate broker other than the  
84 broker with whom associated without the express written  
85 consent of the broker with whom associated;

86 (12) Accepting a commission or valuable consideration  
87 for the performance of any of the acts referred to in

88 section 339.010 from any person except the broker with whom  
89 associated at the time the commission or valuable  
90 consideration was earned;

91 (13) Using prizes, money, gifts or other valuable  
92 consideration as inducement to secure customers or clients  
93 to purchase, lease, sell or list property when the awarding  
94 of such prizes, money, gifts or other valuable consideration  
95 is conditioned upon the purchase, lease, sale or listing; or  
96 soliciting, selling or offering for sale real property by  
97 offering free lots, or conducting lotteries or contests, or  
98 offering prizes for the purpose of influencing a purchaser  
99 or prospective purchaser of real property;

100 (14) Placing a sign on or advertising any property  
101 offering it for sale or rent without the written consent of  
102 the owner or his or her duly authorized agent;

103 (15) Violation of, or attempting to violate, directly  
104 or indirectly, or assisting or enabling any person to  
105 violate, any provision of sections 339.010 to 339.180 and  
106 sections 339.710 to 339.860, or of any lawful rule adopted  
107 pursuant to sections 339.010 to 339.180 and sections 339.710  
108 to 339.860;

109 (16) Committing any act which would otherwise be  
110 grounds for the commission to refuse to issue a license  
111 under section 339.040;

112 (17) Failure to timely inform seller of all written  
113 offers unless otherwise instructed in writing by the seller;

114 (18) Been finally adjudicated and found guilty, or  
115 entered a plea of guilty or nolo contendere, in a criminal  
116 prosecution under the laws of this state or any other state  
117 or of the United States, for any offense reasonably related  
118 to the qualifications, functions or duties of any profession  
119 licensed or regulated under this chapter, or for any offense

120 an essential element of which is fraud, dishonesty or an act  
121 of violence, whether or not sentence is imposed;

122 (19) Any other conduct which constitutes  
123 untrustworthy, improper or fraudulent business dealings,  
124 demonstrates bad faith or incompetence, misconduct, or gross  
125 negligence;

126 (20) Disciplinary action against the holder of a  
127 license or other right to practice any profession regulated  
128 under sections 339.010 to 339.180 and sections 339.710 to  
129 339.860 granted by another state, territory, federal agency,  
130 or country upon grounds for which revocation, suspension, or  
131 probation is authorized in this state;

132 (21) Been found by a court of competent jurisdiction  
133 of having used any controlled substance, as defined in  
134 chapter 195, to the extent that such use impairs a person's  
135 ability to perform the work of any profession licensed or  
136 regulated by sections 339.010 to 339.180 and sections  
137 339.710 to 339.860;

138 (22) Been finally adjudged insane or incompetent by a  
139 court of competent jurisdiction;

140 (23) Assisting or enabling any person to practice or  
141 offer to practice any profession licensed or regulated under  
142 sections 339.010 to 339.180 and sections 339.710 to 339.860  
143 who is not registered and currently eligible to practice  
144 under sections 339.010 to 339.180 and sections 339.710 to  
145 339.860;

146 (24) Use of any advertisement or solicitation which:

147 (a) Is knowingly false, misleading or deceptive to the  
148 general public or persons to whom the advertisement or  
149 solicitation is primarily directed; or

150 (b) Includes a name or team name that uses the terms  
151 "realty", "brokerage", "company", or any other terms that

152 can be construed to advertise a real estate company other  
153 than the licensee or a business entity licensed under this  
154 chapter with whom the licensee is associated. The context  
155 of the advertisement or solicitation may be considered by  
156 the commission when determining whether a licensee has  
157 committed a violation of this paragraph;

158       (25) Making any material misstatement,  
159 misrepresentation, or omission with regard to any  
160 application for licensure or license renewal. As used in  
161 this section, "material" means important information about  
162 which the commission should be informed and which may  
163 influence a licensing decision;

164       (26) Engaging in, committing, or assisting any person  
165 in engaging in or committing mortgage fraud, as defined in  
166 section 443.930.

167       3. After the filing of such complaint, the proceedings  
168 will be conducted in accordance with the provisions of law  
169 relating to the administrative hearing commission. A  
170 finding of the administrative hearing commissioner that the  
171 licensee has performed or attempted to perform one or more  
172 of the foregoing acts shall be grounds for the suspension or  
173 revocation of his license by the commission, or the placing  
174 of the licensee on probation on such terms and conditions as  
175 the real estate commission shall deem appropriate, or the  
176 imposition of a civil penalty by the commission not to  
177 exceed two thousand five hundred dollars for each offense.  
178 Each day of a continued violation shall constitute a  
179 separate offense.

180       4. The commission may prepare a digest of the  
181 decisions of the administrative hearing commission which  
182 concern complaints against licensed brokers or salespersons  
183 and cause such digests to be mailed to all licensees

periodically. Such digests may also contain reports as to new or changed rules adopted by the commission and other information of significance to licensees.

5. Notwithstanding other provisions of this section, a broker or salesperson's license shall be revoked, or in the case of an applicant, shall not be issued, if the licensee or applicant has pleaded guilty to, entered a plea of nolo contendere to, or been found guilty of any of the following offenses or offenses of a similar nature established under the laws of this, any other state, the United States, or any other country, notwithstanding whether sentence is imposed:

(1) Any dangerous felony as defined under section 556.061 or murder in the first degree;

(2) Any of the following sexual offenses: rape in the first degree, forcible rape, rape, statutory rape in the first degree, statutory rape in the second degree, rape in the second degree, sexual assault, sodomy in the first degree, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, sodomy in the second degree, deviate sexual assault, sexual misconduct involving a child, sexual misconduct in the first degree under section 566.090 as it existed prior to August 28, 2013, sexual abuse under section 566.100 as it existed prior to August 28, 2013, sexual abuse in the first or second degree, enticement of a child, or attempting to entice a child;

(3) Any of the following offenses against the family and related offenses: incest, abandonment of a child in the first degree, abandonment of a child in the second degree, endangering the welfare of a child in the first degree, abuse of a child, using a child in a sexual performance,

216 promoting sexual performance by a child, or trafficking in  
217 children;

218 (4) Any of the following offenses involving child  
219 pornography **as it existed prior to August 28, 2024, or child**  
220 **sexual abuse material** and related offenses: promoting  
221 obscenity in the first degree, promoting obscenity in the  
222 second degree when the penalty is enhanced to a class E  
223 felony, promoting child pornography in the first degree **as**  
224 **it existed prior to August 28, 2024, promoting child sexual**  
225 **abuse material in the first degree,** promoting child  
226 pornography in the second degree **as it existed prior to**  
227 **August 28, 2024, promoting child sexual abuse material in**  
228 **the second degree,** possession of child pornography in the  
229 first degree **as it existed prior to August 28, 2024,**  
230 **possession of child sexual abuse material in the first**  
231 **degree,** possession of child pornography in the second degree  
232 **as it existed prior to August 28, 2024, possession of child**  
233 **sexual abuse material in the second degree,** furnishing child  
234 pornography to a minor **as it existed prior to August 28,**  
235 **2024, furnishing child sexual abuse material to minors,**  
236 furnishing pornographic materials to minors, or coercing  
237 acceptance of obscene material; and

238 (5) Mortgage fraud as defined in section 570.310.

239 6. A person whose license was revoked under subsection  
240 5 of this section may appeal such revocation to the  
241 administrative hearing commission. Notice of such appeal  
242 must be received by the administrative hearing commission  
243 within ninety days of mailing, by certified mail, the notice  
244 of revocation. Failure of a person whose license was  
245 revoked to notify the administrative hearing commission of  
246 his or her intent to appeal waives all rights to appeal the  
247 revocation. Upon notice of such person's intent to appeal,



248 a hearing shall be held before the administrative hearing  
249 commission.

491.075. 1. A statement made by a child under the age  
2 of **[fourteen] eighteen**, or a vulnerable person, relating to  
3 an offense under chapter 565, 566, 568 or 573, performed by  
4 another, not otherwise admissible by statute or court rule,  
5 is admissible in evidence in criminal proceedings in the  
6 courts of this state as substantive evidence to prove the  
7 truth of the matter asserted if:

8 (1) The court finds, in a hearing conducted outside  
9 the presence of the jury that the time, content and  
10 circumstances of the statement provide sufficient indicia of  
11 reliability; and

12 (2) (a) The child or vulnerable person testifies at  
13 the proceedings; or

14 (b) The child or vulnerable person is unavailable as a  
15 witness; or

16 (c) The child or vulnerable person is otherwise  
17 physically available as a witness but the court finds that  
18 the significant emotional or psychological trauma which  
19 would result from testifying in the personal presence of the  
20 defendant makes the child or vulnerable person unavailable  
21 as a witness at the time of the criminal proceeding.

22 2. Notwithstanding subsection 1 of this section or any  
23 provision of law or rule of evidence requiring corroboration  
24 of statements, admissions or confessions of the defendant,  
25 and notwithstanding any prohibition of hearsay evidence, a  
26 statement by a child when under the age of **[fourteen]**  
27 **eighteen**, or a vulnerable person, who is alleged to be  
28 victim of an offense under chapter 565, 566, 568 or 573 is  
29 sufficient corroboration of a statement, admission or  
30 confession regardless of whether or not the child or

31 vulnerable person is available to testify regarding the  
32 offense.

33         3. A statement may not be admitted under this section  
34 unless the prosecuting attorney makes known to the accused  
35 or the accused's counsel his or her intention to offer the  
36 statement and the particulars of the statement sufficiently  
37 in advance of the proceedings to provide the accused or the  
38 accused's counsel with a fair opportunity to prepare to meet  
39 the statement.

40         4. Nothing in this section shall be construed to limit  
41 the admissibility of statements, admissions or confessions  
42 otherwise admissible by law.

43         5. For the purposes of this section, "vulnerable  
44 person" shall mean a person who, as a result of an  
45 inadequately developed or impaired intelligence or a  
46 psychiatric disorder that materially affects ability to  
47 function, lacks the mental capacity to consent, or whose  
48 developmental level does not exceed that of an ordinary  
49 child of [fourteen] **seventeen** years of age.

492.304. 1. In addition to the admissibility of a  
2 statement under the provisions of section 492.303, the  
3 visual and aural recording of a verbal or nonverbal  
4 statement of a child when under the age of [fourteen who is  
5 alleged to be a victim of] **eighteen or a vulnerable person,**  
6 **relating to** an offense under the provisions of chapter 565,  
7 566 [or], 568, **or 573, if performed by another,** is  
8 admissible into evidence if:

9         (1) No attorney for either party was present when the  
10 statement was made; except that, for any statement taken at  
11 a state-funded child assessment center as provided for in  
12 subsection 2 of section 210.001, an attorney representing  
13 the state of Missouri in a criminal investigation may, as a

14 member of a multidisciplinary investigation team, observe  
15 the taking of such statement, but such attorney shall not be  
16 present in the room where the interview is being conducted;

17 (2) The recording is both visual and aural and is  
18 recorded on film or videotape or by other electronic means;

19 (3) The recording equipment was capable of making an  
20 accurate recording, the operator of the equipment was  
21 competent, and the recording is accurate and has not been  
22 altered;

23 (4) The statement was not made in response to  
24 questioning calculated to lead the child **or vulnerable**  
25 **person** to make a particular statement or to act in a  
26 particular way;

27 (5) Every voice on the recording is identified;

28 (6) The person conducting the interview of the child  
29 **or vulnerable person** in the recording is present at the  
30 proceeding and available to testify or be cross-examined by  
31 either party; and

32 (7) The defendant or the attorney for the defendant is  
33 afforded an opportunity to view the recording before it is  
34 offered into evidence.

35 2. If the child **or vulnerable person** does not testify  
36 at the proceeding, the visual and aural recording of a  
37 verbal or nonverbal statement of the child **or vulnerable**  
38 **person** shall not be admissible under this section unless the  
39 recording qualifies for admission under section 491.075.

40 3. If the visual and aural recording of a verbal or  
41 nonverbal statement of a child **or vulnerable person** is  
42 admissible under this section and the child **or vulnerable**  
43 **person** testifies at the proceeding, it shall be admissible  
44 in addition to the testimony of the child **or vulnerable**

45 **person** at the proceeding whether or not it repeats or  
46 duplicates the child's **or vulnerable person's** testimony.

47 4. As used in this section, a nonverbal statement  
48 shall be defined as any demonstration of the child **or**  
49 **vulnerable person** by his or her actions, facial expressions,  
50 demonstrations with a doll or other visual aid whether or  
51 not this demonstration is accompanied by words.

52 5. For the purposes of this section, "**vulnerable**  
53 **person**" shall mean a person who, as a result of an  
54 **inadequately developed or impaired intelligence or a**  
55 **psychiatric disorder that materially affects the ability to**  
56 **function, lacks the mental capacity to consent, or whose**  
57 **developmental level does not exceed that of an ordinary**  
58 **child of seventeen years of age.**

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

3 (1) "Childhood sexual abuse", any act committed by the  
4 defendant against the plaintiff which act occurred when the  
5 plaintiff was under the age of eighteen years and which act  
6 would have been a violation of section 566.030, [566.040,  
7 566.050,] **566.031**, 566.060, [566.070, 566.080, 566.090,]  
8 **566.061**, 566.100, [566.110, or 566.120, or section] **566.101**,  
9 **566.210, 566.211**, 568.020, **573.023, or 573.200;**

10 (2) "Injury" or "illness", either a physical injury or  
11 illness or a psychological injury or illness. A  
12 psychological injury or illness need not be accompanied by  
13 physical injury or illness.

14 2. Any action to recover damages from injury or  
15 illness caused by childhood sexual abuse **or child sex**  
16 **trafficking or tortious conduct that caused the victim to be**  
17 **a victim of childhood sexual abuse or child sex trafficking**  
18 in an action brought pursuant to this section shall be

19 commenced within [ten] **twenty** years of the plaintiff  
20 attaining the age of twenty-one or within three years of the  
21 date the plaintiff discovers, or reasonably should have  
22 discovered, that the injury or illness was caused by  
23 childhood sexual abuse **or child sex trafficking**, whichever  
24 later occurs.

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

542.301. 1. Property which comes into the custody of  
2 an officer or of a court as the result of any seizure and  
3 which has not been forfeited pursuant to any other  
4 provisions of law or returned to the claimant shall be  
5 disposed of as follows:

6 (1) Stolen property, or property acquired in any other  
7 manner declared an offense by chapters 569 and 570, but not  
8 including any of the property referred to in subdivision (2)  
9 of this subsection, shall be delivered by order of court  
10 upon claim having been made and established, to the person  
11 who is entitled to possession:

12 (a) The claim shall be made by written motion filed  
13 with the court with which a motion to suppress has been, or  
14 may be, filed. The claim shall be barred if not made within  
15 one year from the date of the seizure;

16 (b) Upon the filing of such motion, the judge shall  
17 order notice to be given to all persons interested in the  
18 property, including other claimants and the person from  
19 whose possession the property was seized, of the time, place  
20 and nature of the hearing to be held on the motion. The  
21 notice shall be given in a manner reasonably calculated to  
22 reach the attention of all interested persons. Notice may

23 be given to unknown persons and to persons whose address is  
24 unknown by publication in a newspaper of general circulation  
25 in the county. No property shall be delivered to any  
26 claimant unless all interested persons have been given a  
27 reasonable opportunity to appear and to be heard;

28 (c) After a hearing, the judge shall order the  
29 property delivered to the person or persons entitled to  
30 possession, if any. The judge may direct that delivery of  
31 property required as evidence in a criminal proceeding shall  
32 be postponed until the need no longer exists;

33 (d) A law enforcement officer having custody of seized  
34 property may, at any time that seized property has ceased to  
35 be useful as evidence, request that the prosecuting attorney  
36 of the county in which property was seized file a motion  
37 with the court of such county for the disposition of the  
38 seized property. If the prosecuting attorney does not file  
39 such motion within sixty days of the request by the law  
40 enforcement officer having custody of the seized property,  
41 then such officer may request that the attorney general file  
42 a written motion with the circuit court of the county or  
43 judicial district in which the seizure occurred. Upon  
44 filing of the motion, the court shall issue an order  
45 directing the disposition of the property. Such disposition  
46 may, if the property is not claimed within one year from the  
47 date of the seizure or if no one establishes a right to it,  
48 and the seized property has ceased to be useful as evidence,  
49 include a public sale of the property. Pursuant to a motion  
50 properly filed and granted under this section, the proceeds  
51 of any sale, less necessary expenses of preservation and  
52 sale, shall be paid into the county treasury for the use of  
53 the county. If the property is not salable, the judge may  
54 order its destruction. Notwithstanding any other provision

55 of law, if no claim is filed within one year of the seizure  
56 and no motion pursuant to this section is filed within six  
57 months thereafter, and the seized property has ceased to be  
58 useful as evidence, the property shall be deemed abandoned,  
59 converted to cash and shall be turned over immediately to  
60 the treasurer pursuant to section 447.543;

61 (e) If the property is a living animal or is  
62 perishable, the judge may, at any time, order it sold at  
63 public sale. The proceeds shall be held in lieu of the  
64 property. A written description of the property sold shall  
65 be filed with the judge making the order of sale so that the  
66 claimant may identify the property. If the proceeds are not  
67 claimed within the time limited for the claim of the  
68 property, the proceeds shall be paid into the county  
69 treasury. If the property is not salable, the judge may  
70 order its destruction.

71 (2) Weapons, tools, devices, computers, computer  
72 equipment, computer software, computer hardware, cellular  
73 telephones, or other devices capable of accessing the  
74 internet, and substances other than motor vehicles, aircraft  
75 or watercraft, used by the owner or with the owner's consent  
76 as a means for committing felonies other than the offense of  
77 possessing burglary tools in violation of section 569.180,  
78 and property, the possession of which is an offense under  
79 the laws of this state or which has been used by the owner,  
80 or used with the owner's acquiescence or consent, as a raw  
81 material or as an instrument to manufacture, produce, or  
82 distribute, or be used as a means of storage of anything the  
83 possession of which is an offense under the laws of this  
84 state, or which any statute authorizes or directs to be  
85 seized, other than lawfully possessed weapons seized by an

86 officer incident to an arrest, shall be forfeited to the  
87 state of Missouri.

88       2. The officer who has custody of the property shall  
89 inform the prosecuting attorney of the fact of seizure and  
90 of the nature of the property. The prosecuting attorney  
91 shall thereupon file a written motion with the court with  
92 which the motion to suppress has been, or may be, filed  
93 praying for an order directing the forfeiture of the  
94 property. If the prosecuting attorney of a county in which  
95 property is seized fails to file a motion with the court for  
96 the disposition of the seized property within sixty days of  
97 the request by a law enforcement officer, the officer having  
98 custody of the seized property may request the attorney  
99 general to file a written motion with the circuit court of  
100 the county or judicial district in which the seizure  
101 occurred. Upon filing of the motion, the court shall issue  
102 an order directing the disposition of the property. The  
103 signed motion shall be returned to the requesting agency. A  
104 motion may also be filed by any person claiming the right to  
105 possession of the property praying that the court declare  
106 the property not subject to forfeiture and order it  
107 delivered to the moving party.

108       3. Upon the filing of a motion either by the  
109 prosecuting attorney or by a claimant, the judge shall order  
110 notice to be given to all persons interested in the  
111 property, including the person out of whose possession the  
112 property was seized and any lienors, of the time, place and  
113 nature of the hearing to be held on the motion. The notice  
114 shall be given in a manner reasonably calculated to reach  
115 the attention of all interested persons. Notice may be  
116 given to unknown persons and to persons of unknown address  
117 by publication in a newspaper of general circulation in the



118 county. Every interested person shall be given a reasonable  
119 opportunity to appear and to be heard as to the nature of  
120 the person's claim to the property and upon the issue of  
121 whether or not it is subject to forfeiture.

122 4. If the evidence is clear and convincing that the  
123 property in issue is in fact of a kind subject to forfeiture  
124 under this subsection, the judge shall declare it forfeited  
125 and order its destruction or sale. The judge shall direct  
126 that the destruction or sale of property needed as evidence  
127 in a criminal proceeding shall be postponed until this need  
128 no longer exists.

129 5. If the forfeited property can be put to a lawful  
130 use, it may be ordered sold after any alterations which are  
131 necessary to adapt it to a lawful use have been made. In  
132 the case of computers, computer equipment, computer  
133 software, computer hardware, cellular telephones, or other  
134 devices capable of accessing the internet, or other devices  
135 used in the acquisition, possession, or distribution of  
136 child pornography **as it existed prior to August 28, 2024,**  
137 **child sexual abuse material,** or obscene material, the law  
138 enforcement agency in possession of such items may, upon  
139 court order, retain possession of such property and convert  
140 such property to the use of the law enforcement agency for  
141 use in criminal investigations. If there is a holder of a  
142 bona fide lien against property which has been used as a  
143 means for committing an offense or which has been used as a  
144 raw material or as an instrument to manufacture or produce  
145 anything which is an offense to possess, who establishes  
146 that the use was without the lienholder's acquiescence or  
147 consent, the proceeds, less necessary expenses of  
148 preservation and sale, shall be paid to the lienholder to

149 the amount of the lienholder's lien. The remaining amount  
150 shall be paid into the county treasury.

151 6. If the property is perishable the judge may order  
152 it sold at a public sale or destroyed, as may be  
153 appropriate, prior to a hearing. The proceeds of a sale,  
154 less necessary expenses of preservation and sale, shall be  
155 held in lieu of the property.

156 7. When a warrant has been issued to search for and  
157 seize allegedly obscene matter for forfeiture to the state,  
158 after an adversary hearing, the judge, upon return of the  
159 warrant with the matter seized, shall give notice of the  
160 fact to the prosecuting attorney of the county in which the  
161 matter was seized and the dealer, exhibitor or displayer and  
162 shall conduct further adversary proceedings to determine  
163 whether the matter is subject to forfeiture. If the  
164 evidence is clear and convincing that the matter is obscene  
165 as defined by law and it was being held or displayed for  
166 sale, exhibition, distribution or circulation to the public,  
167 the judge shall declare it to be obscene and forfeited to  
168 the state and order its destruction or other disposition;  
169 except that, no forfeiture shall be declared without the  
170 dealer, distributor or displayer being given a reasonable  
171 opportunity to appear in opposition and without the judge  
172 having thoroughly examined each item. If the material to be  
173 seized is the same as or another copy of matter that has  
174 already been determined to be obscene in a criminal  
175 proceeding against the dealer, exhibitor, displayer or such  
176 person's agent, the determination of obscenity in the  
177 criminal proceeding shall constitute clear and convincing  
178 evidence that the matter to be forfeited pursuant to this  
179 subsection is obscene. Except when the dealer, exhibitor or  
180 displayer consents to a longer period, or by such person's

actions or pleadings willfully prevents the prompt resolution of the hearing, judgment shall be rendered within ten days of the return of the warrant. If the matter is not found to be obscene or is not found to have been held or displayed for sale, exhibition or distribution to the public, or a judgment is not entered within the time provided for, the matter shall be restored forthwith to the dealer, exhibitor or displayer.

8. If an appeal is taken by the dealer, exhibitor or displayer from an adverse judgment, the case should be assigned for hearing at the earliest practicable date and expedited in every way. Destruction or disposition of a matter declared forfeited shall be postponed until the judgment has become final by exhaustion of appeal, or by expiration of the time for appeal, and until the matter is no longer needed as evidence in a criminal proceeding.

9. A determination of obscenity, pursuant to this subsection, shall not be admissible in any criminal proceeding against any person or corporation for sale or possession of obscene matter; except that dealer, distributor or displayer from which the obscene matter was seized for forfeiture to the state.

10. When allegedly obscene matter or pornographic material for minors has been seized under a search warrant issued pursuant to subsection 2 of section 542.281 and the matter is no longer needed as evidence in a criminal proceeding the prosecuting attorney of the county in which the matter was seized may file a written motion with the circuit court of the county or judicial district in which the seizure occurred praying for an order directing the forfeiture of the matter. Upon filing of the motion, the court shall set a date for a hearing. Written notice of

213 date, time, place and nature of the hearing shall be  
214 personally served upon the owner, dealer, exhibitor,  
215 displayer or such person's agent. Such notice shall be  
216 served no less than five days before the hearing.

217 11. If the evidence is clear and convincing that the  
218 matter is obscene as defined by law, and that the obscene  
219 material was being held or displayed for sale, exhibition,  
220 distribution or circulation to the public or that the matter  
221 is pornographic for minors and that the pornographic  
222 material was being held or displayed for sale, exhibition,  
223 distribution or circulation to minors, the judge shall  
224 declare it to be obscene or pornographic for minors and  
225 forfeited to the state and order its destruction or other  
226 disposition. A determination that the matter is obscene in  
227 a criminal proceeding as well as a determination that such  
228 obscene material was held or displayed for sale, exhibition,  
229 distribution or circulation to the public or a determination  
230 that the matter is pornographic for minors in a criminal  
231 proceeding as well as a determination that such pornographic  
232 material was held or displayed for sale, exhibition,  
233 distribution or circulation to minors shall be clear and  
234 convincing evidence that such material should be forfeited  
235 to the state; except that, no forfeiture shall be declared  
236 without the dealer, distributor or displayer being given a  
237 reasonable opportunity to appear in opposition and without a  
238 judge having thoroughly examined each item. A dealer,  
239 distributor or displayer shall have had reasonable  
240 opportunity to appear in opposition if the matter the  
241 prosecutor seeks to destroy is the same matter that formed  
242 the basis of a criminal proceeding against the dealer,  
243 distributor or displayer where the dealer, distributor or  
244 displayer has been charged and found guilty of holding or

245 displaying for sale, exhibiting, distributing or circulating  
246 obscene material to the public or pornographic material for  
247 minors to minors. If the matter is not found to be obscene,  
248 or if obscene material is not found to have been held or  
249 displayed for sale, exhibition, distribution or circulation  
250 to the public, or if the matter is not found to be  
251 pornographic for minors or if pornographic material is not  
252 found to have been held or displayed for sale, exhibition,  
253 distribution or circulation to minors, the matter shall be  
254 restored forthwith to the dealer, exhibitor or displayer.

255 12. If an appeal is taken by the dealer, exhibitor or  
256 displayer from an adverse judgment, the case shall be  
257 assigned for hearing at the earliest practicable date and  
258 expedited in every way. Destruction or disposition of  
259 matter declared forfeited shall be postponed until the  
260 judgment has become final by exhaustion of appeal, or by  
261 expiration of the time for appeal, and until the matter is  
262 no longer needed as evidence in a criminal proceeding.

263 13. A determination of obscenity shall not be  
264 admissible in any criminal proceeding against any person or  
265 corporation for sale or possession of obscene matter.

266 14. An appeal by any party shall be allowed from the  
267 judgment of the court as in other civil actions.

268 15. All other property still in the custody of an  
269 officer or of a court as the result of any seizure and which  
270 has not been forfeited pursuant to this section or any other  
271 provision of law after three years following the seizure and  
272 which has ceased to be useful as evidence shall be deemed  
273 abandoned, converted to cash and shall be turned over  
274 immediately to the treasurer pursuant to section 447.543.

566.010. As used in this chapter and chapter 568, the  
2 following terms mean:

3           (1) "Aggravated sexual offense", any sexual offense,  
4 in the course of which, the actor:

5           (a) Inflicts serious physical injury on the victim;

6           (b) Displays a deadly weapon or dangerous instrument  
7 in a threatening manner;

8           (c) Subjects the victim to sexual intercourse or  
9 deviate sexual intercourse with more than one person;

10          (d) Had previously been found guilty of an offense  
11 under this chapter or under section 573.200, child used in  
12 sexual performance; section 573.205, promoting sexual  
13 performance by a child; section 573.023, sexual exploitation  
14 of a minor; section 573.025, promoting child pornography in  
15 the first degree **as it existed prior to August 28, 2024, or**  
16 **promoting child sexual abuse material in the first degree;**  
17 section 573.035, promoting child pornography in the second  
18 degree **as it existed prior to August 28, 2024, or promoting**  
19 **child sexual abuse material in the second degree;** section  
20 573.037, possession of child pornography **as it existed prior**  
21 **to August 28, 2024, or possession of child sexual abuse**  
22 **material;** or section 573.040, furnishing pornographic  
23 materials to minors; or has previously been found guilty of  
24 an offense in another jurisdiction which would constitute an  
25 offense under this chapter or said sections;

26          (e) Commits the offense as part of an act or series of  
27 acts performed by two or more persons as part of an  
28 established or prescribed pattern of activity; or

29          (f) Engages in the act that constitutes the offense  
30 with a person the actor knows to be, without regard to  
31 legitimacy, the actor's:

32           a. Ancestor or descendant by blood or adoption;

33           b. Stepchild while the marriage creating that  
34 relationship exists;

35           c. Brother or sister of the whole or half blood; or  
36           d. Uncle, aunt, nephew, or niece of the whole blood;

37           (2) "Commercial sex act", any sex act on account of  
38 which anything of value is given to or received by any  
39 person;

40           (3) "Deviate sexual intercourse", any act involving  
41 the genitals of one person and the hand, mouth, tongue, or  
42 anus of another person or a sexual act involving the  
43 penetration, however slight, of the penis, female genitalia,  
44 or the anus by a finger, instrument or object done for the  
45 purpose of arousing or gratifying the sexual desire of any  
46 person or for the purpose of terrorizing the victim;

47           (4) "Forced labor", a condition of servitude induced  
48 by means of:

49           (a) Any scheme, plan, or pattern of behavior intended  
50 to cause a person to believe that, if the person does not  
51 enter into or continue the servitude, such person or another  
52 person will suffer substantial bodily harm or physical  
53 restraint; or

54           (b) The abuse or threatened abuse of the legal process;

55           (5) "Sexual conduct", sexual intercourse, deviate  
56 sexual intercourse or sexual contact;

57           (6) "Sexual contact", any touching of another person  
58 with the genitals or any touching of the genitals or anus of  
59 another person, or the breast of a female person, or such  
60 touching through the clothing, or causing semen, seminal  
61 fluid, or other ejaculate to come into contact with another  
62 person, for the purpose of arousing or gratifying the sexual  
63 desire of any person or for the purpose of terrorizing the  
64 victim;

65           (7) "Sexual intercourse", any penetration, however  
66 slight, of the female genitalia by the penis.

566.147. 1. Any person who, since July 1, 1979, has  
2 been or hereafter has been found guilty of:

3 (1) Violating any of the provisions of this chapter or  
4 the provisions of section 568.020, incest; section 568.045,  
5 endangering the welfare of a child in the first degree;  
6 subsection 2 of section 568.080 as it existed prior to  
7 January 1, 2017, or section 573.200, use of a child in a  
8 sexual performance; section 568.090 as it existed prior to  
9 January 1, 2017, or section 573.205, promoting a sexual  
10 performance by a child; section 573.023, sexual exploitation  
11 of a minor; section 573.025, promoting child pornography in  
12 the first degree **as it existed prior to August 28, 2024, or**  
13 **promoting child sexual abuse material in the first degree;**  
14 section 573.035, promoting child pornography in the second  
15 degree **as it existed prior to August 28, 2024, or promoting**  
16 **child sexual abuse material in the second degree;** section  
17 573.037, possession of child pornography **as it existed prior**  
18 **to August 28, 2024, or possession of child sexual abuse**  
19 **material;** or section 573.040, furnishing pornographic  
20 material to minors; or

21 (2) Any offense in any other jurisdiction which, if  
22 committed in this state, would be a violation listed in this  
23 section;

24 shall not reside within one thousand feet of any public  
25 school as defined in section 160.011, any private school  
26 giving instruction in a grade or grades not higher than the  
27 twelfth grade, or any child care facility that is licensed  
28 under chapter 210, or any child care facility as defined in  
29 section 210.201 that is exempt from state licensure but  
30 subject to state regulation under section 210.252 and holds  
31 itself out to be a child care facility, where the school or



32 facility is in existence at the time the individual begins  
33 to reside at the location. Such person shall also not  
34 reside within one thousand feet of the property line of the  
35 residence of a former victim of such person.

36 2. If such person has already established a residence  
37 and a public school, a private school, or child care  
38 facility is subsequently built or placed within one thousand  
39 feet of such person's residence, or a former victim  
40 subsequently resides on property with a property line within  
41 one thousand feet of such person's residence, then such  
42 person shall, within one week of the opening of such public  
43 school, private school, or child care facility, or the  
44 former victim residing on the property, notify the county  
45 sheriff where such public school, private school, child care  
46 facility, or residence of a former victim is located that he  
47 or she is now residing within one thousand feet of such  
48 public school, private school, child care facility, or  
49 property line of the residence of a former victim, and shall  
50 provide verifiable proof to the sheriff that he or she  
51 resided there prior to the opening of such public school,  
52 private school, or child care facility, or the former victim  
53 residing on the property.

54 3. For purposes of this section, "resides" means  
55 sleeps in a residence, which may include more than one  
56 location and may be mobile or transitory, but shall not  
57 include transitory or longer term presence in facilities  
58 licensed under chapters 197 and 198 for purposes of  
59 receiving care, treatment, or services from such licensed  
60 facility.

61 4. For the purposes of **[the] this** section, one  
62 thousand feet shall be measured from the edge of the  
63 offender's property nearest the public school, private

64 school, child care facility, or former victim to the nearest  
65 edge of the public school, private school, child care  
66 facility, or former victim's property.

67 5. Violation of the provisions of subsection 1 of this  
68 section is a class E felony except that the second or any  
69 subsequent violation is a class B felony. Violation of the  
70 provisions of subsection 2 of this section is a class A  
71 misdemeanor except that the second or subsequent violation  
72 is a class E felony.

566.148. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or  
3 the provisions of section 568.020, incest; section 568.045,  
4 endangering the welfare of a child in the first degree;  
5 subsection 2 of section 568.080 as it existed prior to  
6 January 1, 2017, or section 573.200, use of a child in a  
7 sexual performance; section 568.090 as it existed prior to  
8 January 1, 2017, or section 573.205, promoting a sexual  
9 performance by a child; section 573.023, sexual exploitation  
10 of a minor; section 573.025, promoting child pornography in  
11 the first degree **as it existed prior to August 28, 2024, or**  
12 **promoting child sexual abuse material in the first degree;**  
13 section 573.035, promoting child pornography in the second  
14 degree **as it existed prior to August 28, 2024, or promoting**  
15 **child sexual abuse material in the second degree;** section  
16 573.037, possession of child pornography **as it existed prior**  
17 **to August 28, 2024, or possession of child sexual abuse**  
18 **material;** or section 573.040, furnishing pornographic  
19 material to minors; or

20 (2) Any offense in any other jurisdiction which, if  
21 committed in this state, would be a violation listed in this  
22 section;

shall not knowingly be physically present in or loiter within five hundred feet of or to approach, contact, or communicate with any child under eighteen years of age in any child care facility building, on the real property comprising any child care facility when persons under the age of eighteen are present in the building, on the grounds, or in the conveyance, unless the offender is a parent, legal guardian, or custodian of a student present in the building or on the grounds.

2. For purposes of this section, "child care facility" shall include any child care facility licensed under chapter 210, or any child care facility that is exempt from state licensure but subject to state regulation under section 210.252 and holds itself out to be a child care facility.

3. Violation of the provisions of this section is a class A misdemeanor.

566.149. 1. Any person who has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of section 568.080 as it existed prior to January 1, 2017, or section 573.200, use of a child in a sexual performance; section 568.090 as it existed prior to January 1, 2017, or section 573.205, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.037, possession of child pornography **as it existed prior to August 28, 2024, or possession of child sexual abuse material**; section 573.025, promoting child pornography **as it existed prior to August 28, 2024, or promoting child sexual abuse material**; or section 573.040, furnishing pornographic material to minors; or

16           (2) Any offense in any other jurisdiction which, if  
17 committed in this state, would be a violation listed in this  
18 section;

19 shall not be present in or loiter within five hundred feet  
20 of any school building, on real property comprising any  
21 school, or in any conveyance owned, leased, or contracted by  
22 a school to transport students to or from school or a school-  
23 related activity when persons under the age of eighteen are  
24 present in the building, on the grounds, or in the  
25 conveyance, unless the offender is a parent, legal guardian,  
26 or custodian of a student present in the building and has  
27 met the conditions set forth in subsection 2 of this section.

28           2. No parent, legal guardian, or custodian who has  
29 been found guilty of violating any of the offenses listed in  
30 subsection 1 of this section shall be present in any school  
31 building, on real property comprising any school, or in any  
32 conveyance owned, leased, or contracted by a school to  
33 transport students to or from school or a school-related  
34 activity when persons under the age of eighteen are present  
35 in the building, on the grounds or in the conveyance unless  
36 the parent, legal guardian, or custodian has permission to  
37 be present from the superintendent or school board or in the  
38 case of a private school from the principal. In the case of  
39 a public school, if permission is granted, the  
40 superintendent or school board president must inform the  
41 principal of the school where the sex offender will be  
42 present. Permission may be granted by the superintendent,  
43 school board, or in the case of a private school from the  
44 principal for more than one event at a time, such as a  
45 series of events, however, the parent, legal guardian, or  
46 custodian must obtain permission for any other event he or

47 she wishes to attend for which he or she has not yet had  
48 permission granted.

49 3. Regardless of the person's knowledge of his or her  
50 proximity to school property or a school-related activity,  
51 violation of the provisions of this section is a class A  
52 misdemeanor.

566.150. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or  
3 the provisions of section 568.020, incest; section 568.045,  
4 endangering the welfare of a child in the first degree;  
5 section 573.200, use of a child in a sexual performance;  
6 section 573.205, promoting a sexual performance by a child;  
7 section 573.023, sexual exploitation of a minor; section  
8 573.025, promoting child pornography **as it existed prior to**  
9 **August 28, 2024, or promoting child sexual abuse material;**  
10 section 573.037, possession of child pornography **as it**  
11 **existed prior to August 28, 2024, or possession of child**  
12 **sexual abuse material;** or section 573.040, furnishing  
13 pornographic material to minors; or

14 (2) Any offense in any other jurisdiction which, if  
15 committed in this state, would be a violation listed in this  
16 section;

17 shall not knowingly be present in or loiter within five  
18 hundred feet of any real property comprising any public park  
19 with playground equipment, a public swimming pool, athletic  
20 complex or athletic fields if such facilities exist for the  
21 primary use of recreation for children, any museum if such  
22 museum holds itself out to the public as and exists with the  
23 primary purpose of entertaining or educating children under  
24 eighteen years of age, or Missouri department of  
25 conservation nature or education center properties.

26           2. The first violation of the provisions of this  
27 section is a class E felony.

28           3. A second or subsequent violation of this section is  
29 a class D felony.

30           4. Any person who has been found guilty of an offense  
31 under subdivision (1) or (2) of subsection 1 of this section  
32 who is the parent, legal guardian, or custodian of a child  
33 under the age of eighteen attending a program on the  
34 property of a nature or education center of the Missouri  
35 department of conservation may receive permission from the  
36 nature or education center manager to be present on the  
37 property with the child during the program.

566.151. 1. A person twenty-one years of age or older  
2 commits the offense of enticement of a child if he or she  
3 persuades, solicits, coaxes, entices, or lures whether by  
4 words, actions or through communication via the internet or  
5 any electronic communication, any person who is less than  
6 **[fifteen] seventeen** years of age for the purpose of engaging  
7 in sexual conduct.

8           2. It is not a defense to a prosecution for a  
9 violation of this section that the other person was a peace  
10 officer masquerading as a minor.

11           3. Enticement of a child or an attempt to commit  
12 enticement of a child is a felony for which the authorized  
13 term of imprisonment shall be not less than five years and  
14 not more than thirty years. No person convicted under this  
15 section shall be eligible for parole, probation, conditional  
16 release, or suspended imposition or execution of sentence  
17 for a period of five calendar years.

566.155. 1. Any person who has been found guilty of:

2           (1) Violating any of the provisions of this chapter or  
3 the provisions of section 568.020, incest; section 568.045,

4 endangering the welfare of a child in the first degree;  
5 section 573.200, use of a child in a sexual performance;  
6 section 573.205, promoting a sexual performance by a child;  
7 section 573.023, sexual exploitation of a minor; section  
8 573.037, possession of child pornography **as it existed prior**  
9 **to August 28, 2024, or possession of child sexual abuse**  
10 **material;** section 573.025, promoting child pornography **as it**  
11 **existed prior to August 28, 2024, or promoting child sexual**  
12 **abuse material;** or section 573.040, furnishing pornographic  
13 material to minors; or

14 (2) Any offense in any other jurisdiction which, if  
15 committed in this state, would be a violation listed in this  
16 section;

17 shall not serve as an athletic coach, manager, or athletic  
18 trainer for any sports team in which a child less than  
19 seventeen years of age is a member or shall not supervise or  
20 employ any child under eighteen years of age.

21 2. The first violation of the provisions of this  
22 section is a class E felony.

23 3. A second or subsequent violation of this section is  
24 a class D felony.

**566.201. A prosecuting or circuit attorney may request**  
2 **assistance from the attorney general, or one of his or her**  
3 **assistants, to assist in the prosecution of child sex**  
4 **trafficking cases. The prosecuting or circuit attorney may**  
5 **utilize any resource or capability of the attorney general**  
6 **when prosecuting such cases.**

566.211. 1. A person commits the offense of sexual  
2 trafficking of a child in the second degree if he or she  
3 knowingly:

4           (1) Recruits, entices, harbors, transports, provides,  
5 or obtains by any means, including but not limited to  
6 through the use of force, abduction, coercion, fraud,  
7 deception, blackmail, or causing or threatening to cause  
8 financial harm, a person under the age of eighteen to  
9 participate in a commercial sex act, a sexual performance,  
10 or the production of explicit sexual material as defined in  
11 section 573.010, or benefits, financially or by receiving  
12 anything of value, from participation in such activities;

13           (2) Causes a person under the age of eighteen to  
14 engage in a commercial sex act, a sexual performance, or the  
15 production of explicit sexual material as defined in section  
16 573.010; or

17           (3) Advertises the availability of a person under the  
18 age of eighteen to participate in a commercial sex act, a  
19 sexual performance, or the production of explicit sexual  
20 material as defined in section 573.010.

21           2. It shall not be a defense that the defendant  
22 believed that the person was eighteen years of age or older.

23           3. **(1)** The offense sexual trafficking of a child in  
24 the second degree is a felony punishable by imprisonment for  
25 a term of years not less than ten years or life and a fine  
26 not to exceed two hundred fifty thousand dollars if the  
27 child is under the age of eighteen. If a violation of this  
28 section was effected by force, abduction, or coercion, the  
29 crime of sexual trafficking of a child shall be a felony for  
30 which the authorized term of imprisonment is life  
31 imprisonment without eligibility for probation or parole  
32 until the defendant has served not less than twenty-five  
33 years of such sentence.

34           **(2) The offense of sexual trafficking of a child in**  
35 **the second degree by a parent, legal guardian, or other**



36 person having custody or control of a child is a felony for  
37 which the authorized term of imprisonment is life  
38 imprisonment. As used in this subdivision, "life  
39 imprisonment" shall mean imprisonment for the duration of a  
40 person's natural life.

566.218. 1. Notwithstanding sections 557.011,  
2 558.019, and 559.021, a person found guilty of violating any  
3 provisions of section 566.203, 566.206, 566.209, 566.210,  
4 566.211, 566.212, 566.213, or 566.215 shall be ordered by  
5 the sentencing court to pay restitution to the victim of the  
6 offense regardless of whether the defendant is sentenced to  
7 a term of imprisonment or probation. The minimum  
8 restitution ordered by the court shall be in the amount  
9 determined by the court necessary to compensate the victim  
10 for the value of the victim's labor and/or for the mental  
11 and physical rehabilitation of the victim and any child of  
12 the victim.

13 2. Any real or personal property that was used,  
14 attempted to be used, or intended to be used in violating an  
15 offense listed in subsection 1 of this section may be  
16 seized. If such property is seized, the property shall be  
17 forfeited as provided under section 513.607. After  
18 satisfying any liens on the property, the remaining proceeds  
19 from the sale of any property seized under this subsection  
20 that was owned by a defendant convicted of violating an  
21 offense listed in subsection 1 of this section shall first  
22 be allocated to pay any order of restitution to a victim of  
23 human trafficking in the criminal case for which the  
24 defendant was convicted. If there are multiple victims of  
25 human trafficking in the criminal case, the remaining  
26 proceeds shall be allocated equally among the victims to pay  
27 restitution. If the proceeds are sufficient to pay any such

28 **order of restitution, any remaining proceeds shall be**  
29 **deposited into the crime victims' compensation fund under**  
30 **section 595.045.**

567.030. 1. A person commits the offense of  
2 patronizing prostitution if he or she:

3 (1) Pursuant to a prior understanding, gives something  
4 of value to another person as compensation for having  
5 engaged in sexual conduct with any person; or

6 (2) Gives or agrees to give something of value to  
7 another person with the understanding that such person or  
8 another person will engage in sexual conduct with any  
9 person; or

10 (3) Solicits or requests another person to engage in  
11 sexual conduct with any person in return for something of  
12 value.

13 2. It shall not be a defense that the person believed  
14 that the individual he or she patronized for prostitution  
15 was eighteen years of age or older.

16 3. The offense of patronizing prostitution is a class  
17 B misdemeanor, unless the individual who the person  
18 patronizes is less than eighteen years of age but older than  
19 **[fourteen] fifteen** years of age, in which case patronizing  
20 prostitution is a class E felony.

21 4. The offense of patronizing prostitution is a class  
22 **[D] B** felony if the individual who the person patronizes is  
23 **[fourteen] fifteen** years of age or younger. Nothing in this  
24 section shall preclude the prosecution of an individual for  
25 the offenses of:

26 (1) Statutory rape in the first degree pursuant to  
27 section 566.032;

28 (2) Statutory rape in the second degree pursuant to  
29 section 566.034;

(3) Statutory sodomy in the first degree pursuant to section 566.062; or

(4) Statutory sodomy in the second degree pursuant to section 566.064.

573.010. As used in this chapter the following terms shall mean:

(1) "Adult cabaret", a nightclub, bar, juice bar, restaurant, bottle club, or other commercial establishment, regardless of whether alcoholic beverages are served, which regularly features persons who appear semi-nude;

(2) "Characterized by", describing the essential character or dominant theme of an item;

(3) "Child", any person under the age of fourteen;

(4) "Child [pornography] **sexual abuse material**":

(a) Any obscene material or performance depicting sexual conduct, sexual contact as defined in section 566.010, or a sexual performance and which has as one of its participants or portrays as an observer of such conduct, contact, or performance a minor; [or]

(b) Any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct where:

a. The production of such visual depiction involves the use of a minor engaging in sexually explicit conduct;

b. Such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct, in that the depiction is such that an ordinary person viewing the depiction would conclude that

28 the depiction is of an actual minor engaged in sexually  
29 explicit conduct; or

30 c. Such visual depiction has been created, adapted, or  
31 modified to show that an identifiable minor is engaging in  
32 sexually explicit conduct. "Identifiable minor" means a  
33 person who was a minor at the time the visual depiction was  
34 created, adapted, or modified; or whose image as a minor was  
35 used in creating, adapting, or modifying the visual  
36 depiction; and who is recognizable as an actual person by  
37 the person's face, likeness, or other distinguishing  
38 characteristic, such as a unique birthmark or other  
39 recognizable feature. The term identifiable minor shall not  
40 be construed to require proof of the actual identity of the  
41 identifiable minor; or

42 **(c) Any anatomically correct doll, mannequin, or**  
43 **robot, or any other item, with features of, or with features**  
44 **that resemble those of, a minor under eighteen years of age,**  
45 **intended to be used for the purpose of arousing or**  
46 **gratifying the sexual desire of any person, or for the**  
47 **purpose of terrorizing or causing emotional distress to any**  
48 **person;**

49 (5) "Employ", "employee", or "employment", any person  
50 who performs any service on the premises of a sexually  
51 oriented business, on a full-time, part-time, or contract  
52 basis, whether or not the person is denominated an employee,  
53 independent contractor, agent, or otherwise. Employee does  
54 not include a person exclusively on the premises for repair  
55 or maintenance of the premises or for the delivery of goods  
56 to the premises;

57 (6) "Explicit sexual material", any pictorial or three-  
58 dimensional material depicting human masturbation, deviate  
59 sexual intercourse, sexual intercourse, direct physical

60 stimulation or unclothed genitals, sadomasochistic abuse, or  
61 emphasizing the depiction of postpubertal human genitals;  
62 provided, however, that works of art or of anthropological  
63 significance shall not be deemed to be within the foregoing  
64 definition;

65 (7) "Furnish", to issue, sell, give, provide, lend,  
66 mail, deliver, transfer, circulate, disseminate, present,  
67 exhibit or otherwise provide;

68 (8) "Material", anything printed or written, or any  
69 picture, drawing, photograph, motion picture film, videotape  
70 or videotape production, or pictorial representation, or any  
71 recording or transcription, or any mechanical, chemical, or  
72 electrical reproduction, or stored computer data, or  
73 anything which is or may be used as a means of  
74 communication. Material includes undeveloped photographs,  
75 molds, printing plates, stored computer data and other  
76 latent representational objects;

77 (9) "Minor", any person less than eighteen years of  
78 age;

79 (10) "Nudity" or "state of nudity", the showing of the  
80 human genitals, pubic area, vulva, anus, anal cleft, or the  
81 female breast with less than a fully opaque covering of any  
82 part of the nipple or areola;

83 (11) "Obscene", any material or performance if, taken  
84 as a whole:

85 (a) Applying contemporary community standards, its  
86 predominant appeal is to prurient interest in sex; and

87 (b) The average person, applying contemporary  
88 community standards, would find the material depicts or  
89 describes sexual conduct in a patently offensive way; and

90 (c) A reasonable person would find the material lacks  
91 serious literary, artistic, political or scientific value;

92           (12) "Operator", any person on the premises of a  
93 sexually oriented business who causes the business to  
94 function, puts or keeps the business in operation, or is  
95 authorized to manage the business or exercise overall  
96 operational control of the business premises. A person may  
97 be found to be operating or causing to be operated a  
98 sexually oriented business whether or not such person is an  
99 owner, part owner, or licensee of the business;

100           (13) "Performance", any play, motion picture film,  
101 videotape, dance or exhibition performed before an audience  
102 of one or more;

103           (14) "Pornographic for minors", any material or  
104 performance if the following apply:

105           (a) The average person, applying contemporary  
106 community standards, would find that the material or  
107 performance, taken as a whole, has a tendency to cater or  
108 appeal to a prurient interest of minors; and

109           (b) The material or performance depicts or describes  
110 nudity, sexual conduct, the condition of human genitals when  
111 in a state of sexual stimulation or arousal, or  
112 sadomasochistic abuse in a way which is patently offensive  
113 to the average person applying contemporary adult community  
114 standards with respect to what is suitable for minors; and

115           (c) The material or performance, taken as a whole,  
116 lacks serious literary, artistic, political, or scientific  
117 value for minors;

118           (15) "Premises", the real property upon which a  
119 sexually oriented business is located, and all appurtenances  
120 thereto and buildings thereon, including but not limited to  
121 the sexually oriented business, the grounds, private  
122 walkways, and parking lots or parking garages or both;

123           (16) "Promote", to manufacture, issue, sell, provide,  
124 mail, deliver, transfer, transmute, publish, distribute,  
125 circulate, disseminate, present, exhibit, or advertise, or  
126 to offer or agree to do the same, by any means including a  
127 computer;

128           (17) "Regularly", the consistent and repeated doing of  
129 the act so described;

130           (18) "Sadomasochistic abuse", flagellation or torture  
131 by or upon a person as an act of sexual stimulation or  
132 gratification;

133           (19) "Semi-nude" or "state of semi-nudity", the  
134 showing of the female breast below a horizontal line across  
135 the top of the areola and extending across the width of the  
136 breast at such point, or the showing of the male or female  
137 buttocks. Such definition includes the lower portion of the  
138 human female breast, but shall not include any portion of  
139 the cleavage of the female breasts exhibited by a bikini,  
140 dress, blouse, shirt, leotard, or similar wearing apparel  
141 provided the areola is not exposed in whole or in part;

142           (20) "Sexual conduct", actual or simulated, normal or  
143 perverted acts of human masturbation; deviate sexual  
144 intercourse; sexual intercourse; or physical contact with a  
145 person's clothed or unclothed genitals, pubic area,  
146 buttocks, or the breast of a female in an act of apparent  
147 sexual stimulation or gratification or any sadomasochistic  
148 abuse or acts including animals or any latent objects in an  
149 act of apparent sexual stimulation or gratification;

150           (21) "Sexually explicit conduct", actual or simulated:

151           (a) Sexual intercourse, including genital-genital,  
152 oral-genital, anal-genital, or oral-anal, whether between  
153 persons of the same or opposite sex;

154           (b) Bestiality;

155 (c) Masturbation;  
156 (d) Sadistic or masochistic abuse; or  
157 (e) Lascivious exhibition of the genitals or pubic  
158 area of any person;

159 (22) "Sexually oriented business" includes:

160 (a) An adult bookstore or adult video store. "Adult  
161 bookstore" or "adult video store" means a commercial  
162 establishment which, as one of its principal business  
163 activities, offers for sale or rental for any form of  
164 consideration any one or more of the following: books,  
165 magazines, periodicals, or other printed matter, or  
166 photographs, films, motion pictures, video cassettes,  
167 compact discs, digital video discs, slides, or other visual  
168 representations which are characterized by their emphasis  
169 upon the display of specified sexual activities or specified  
170 anatomical areas. A principal business activity exists  
171 where the commercial establishment:

172 a. Has a substantial portion of its displayed  
173 merchandise which consists of such items; or

174 b. Has a substantial portion of the wholesale value of  
175 its displayed merchandise which consists of such items; or

176 c. Has a substantial portion of the retail value of  
177 its displayed merchandise which consists of such items; or

178 d. Derives a substantial portion of its revenues from  
179 the sale or rental, for any form of consideration, of such  
180 items; or

181 e. Maintains a substantial section of its interior  
182 business space for the sale or rental of such items; or

183 f. Maintains an adult arcade. "Adult arcade" means  
184 any place to which the public is permitted or invited  
185 wherein coin-operated or slug-operated or electronically,  
186 electrically, or mechanically controlled still or motion



187 picture machines, projectors, or other image-producing  
188 devices are regularly maintained to show images to five or  
189 fewer persons per machine at any one time, and where the  
190 images so displayed are characterized by their emphasis upon  
191 matter exhibiting specified sexual activities or specified  
192 anatomical areas;

193 (b) An adult cabaret;

194 (c) An adult motion picture theater. "Adult motion  
195 picture theater" means a commercial establishment where  
196 films, motion pictures, video cassettes, slides, or similar  
197 photographic reproductions, which are characterized by their  
198 emphasis upon the display of specified sexual activities or  
199 specified anatomical areas are regularly shown to more than  
200 five persons for any form of consideration;

201 (d) A semi-nude model studio. "Semi-nude model  
202 studio" means a place where persons regularly appear in a  
203 state of semi-nudity for money or any form of consideration  
204 in order to be observed, sketched, drawn, painted,  
205 sculptured, photographed, or similarly depicted by other  
206 persons. Such definition shall not apply to any place where  
207 persons appearing in a state of semi-nudity do so in a  
208 modeling class operated:

209 a. By a college, junior college, or university  
210 supported entirely or partly by taxation;

211 b. By a private college or university which maintains  
212 and operates educational programs in which credits are  
213 transferable to a college, junior college, or university  
214 supported entirely or partly by taxation; or

215 c. In a structure:

216 (i) Which has no sign visible from the exterior of the  
217 structure and no other advertising that indicates a semi-  
218 nude person is available for viewing; and

219 (ii) Where, in order to participate in a class, a  
220 student must enroll at least three days in advance of the  
221 class;

222 (e) A sexual encounter center. "Sexual encounter  
223 center" means a business or commercial enterprise that, as  
224 one of its principal purposes, purports to offer for any  
225 form of consideration physical contact in the form of  
226 wrestling or tumbling between two or more persons when one  
227 or more of the persons is semi-nude;

228 (23) "Sexual performance", any performance, or part  
229 thereof, which includes sexual conduct by a child who is  
230 less than eighteen years of age;

231 (24) "Specified anatomical areas" include:

232 (a) Less than completely and opaquely covered: human  
233 genitals, pubic region, buttock, and female breast below a  
234 point immediately above the top of the areola; and

235 (b) Human male genitals in a discernibly turgid state,  
236 even if completely and opaquely covered;

237 (25) "Specified sexual activity", includes any of the  
238 following:

239 (a) Intercourse, oral copulation, masturbation, or  
240 sodomy; or

241 (b) Excretory functions as a part of or in connection  
242 with any of the activities described in paragraph (a) of  
243 this subdivision;

244 (26) "Substantial", at least thirty percent of the  
245 item or items so modified;

246 (27) "Visual depiction", includes undeveloped film and  
247 videotape, and data stored on computer disk or by electronic  
248 means which is capable of conversion into a visual image.

573.023. 1. A person commits the offense of sexual  
2 exploitation of a minor if such person knowingly or

3 recklessly photographs, films, videotapes, produces or  
4 otherwise creates obscene material with a minor or child  
5 **[pornography] sexual abuse material.**

6 2. The offense of sexual exploitation of a minor is a  
7 class B felony unless the minor is a child, in which case it  
8 is a class A felony.

573.025. 1. A person commits the offense of promoting  
2 child **[pornography] sexual abuse material** in the first  
3 degree if, knowing of its content and character, such person  
4 possesses with the intent to promote or promotes child  
5 **[pornography] sexual abuse material** of a child less than  
6 fourteen years of age or obscene material portraying what  
7 appears to be a child less than fourteen years of age.

8 2. The offense of promoting child **[pornography] sexual**  
9 **abuse material** in the first degree is a class B felony  
10 unless the person knowingly promotes such material to a  
11 minor, in which case it is a class A felony. No person who  
12 is found guilty of promoting child **[pornography] sexual**  
13 **abuse material** in the first degree shall be eligible for  
14 probation, parole, or conditional release for a period of  
15 three calendar years.

16 3. Nothing in this section shall be construed to  
17 require a provider of electronic communication services or  
18 remote computing services to monitor any user, subscriber or  
19 customer of the provider, or the content of any  
20 communication of any user, subscriber or customer of the  
21 provider.

573.035. 1. A person commits the offense of promoting  
2 child **[pornography] sexual abuse material** in the second  
3 degree if, knowing of its content and character, such person  
4 possesses with the intent to promote or promotes child  
5 **[pornography] sexual abuse material** of a minor under the age

6 of eighteen or obscene material portraying what appears to  
7 be a minor under the age of eighteen.

8 2. The offense of promoting child [pornography] **sexual**  
9 **abuse material** in the second degree is a class D felony  
10 unless the person knowingly promotes such material to a  
11 minor, in which case it is a class B felony. No person who  
12 is found guilty of promoting child [pornography] **sexual**  
13 **abuse material** in the second degree shall be eligible for  
14 probation.

573.037. 1. A person commits the offense of  
2 possession of child [pornography] **sexual abuse material** if  
3 such person knowingly or recklessly possesses any child  
4 [pornography] **sexual abuse material** of a minor less than  
5 eighteen years of age or obscene material portraying what  
6 appears to be a minor less than eighteen years of age.

7 2. The offense of possession of child [pornography]  
8 **sexual abuse material** is a class D felony if the person  
9 possesses one still image of child [pornography] **sexual**  
10 **abuse material** or one obscene still image. The offense of  
11 possession of child [pornography] **sexual abuse material** is a  
12 class B felony if the person:

13 (1) Possesses:

14 (a) More than twenty still images of child  
15 [pornography] **sexual abuse material**; or

16 (b) More than twenty obscene still images; or

17 (c) Child [pornography] **sexual abuse material**  
18 comprised of one motion picture, film, videotape, videotape  
19 production, or other moving image; or

20 (d) Obscene material comprised of one motion picture,  
21 film, videotape production, or other moving image; or

22 (2) Has previously been found guilty of an offense  
23 under this section.

24           3. A person who has committed the offense of  
25 possession of child [pornography] **sexual abuse material** is  
26 subject to separate punishments for each item of child  
27 [pornography] **sexual abuse material** or obscene material  
28 possessed by the person.

          573.038. 1. In any criminal proceeding, any property  
2 or material that constitutes child pornography **as it existed**  
3 **prior to August 28, 2024, or child sexual abuse material**  
4 shall remain in the care, custody, and control of either the  
5 state or the court.

6           2. (1) Notwithstanding Missouri rule of criminal  
7 procedure 25.03 or any other rule or statute to the  
8 contrary, a court shall deny, in any criminal proceeding,  
9 any request by the defendant to copy, photograph, duplicate,  
10 or otherwise reproduce any property or material that  
11 constitutes child pornography **as it existed prior to August**  
12 **28, 2024, or child sexual abuse material**, so long as the  
13 state makes the property or material reasonably available to  
14 the defendant.

15           (2) For the purposes of subdivision (1) of this  
16 subsection, property or material shall be deemed to be  
17 reasonably available to the defendant if the state provides  
18 ample opportunity for inspection, viewing, and examination  
19 at a state or other governmental facility of the property or  
20 material by the defendant, his or her attorney, and any  
21 individual the defendant may seek to qualify to furnish  
22 expert testimony at trial.

          573.050. 1. In any prosecution under this chapter  
2 evidence shall be admissible to show:

3           (1) What the predominant appeal of the material or  
4 performance would be for ordinary adults or minors;

5           (2) The literary, artistic, political or scientific  
6 value of the material or performance;

7           (3) The degree of public acceptance in this state and  
8 in the local community;

9           (4) The appeal to prurient interest in advertising or  
10 other promotion of the material or performance;

11           (5) The purpose of the author, creator, promoter,  
12 furnisher or publisher of the material or performance.

13           2. Testimony of the author, creator, promoter,  
14 furnisher, publisher, or expert testimony, relating to  
15 factors entering into the determination of the issues of  
16 obscenity or child pornography **as it existed prior to August**  
17 **28, 2024, or child sexual abuse material**, shall be  
18 admissible.

19           3. In any prosecution under this chapter, when it  
20 becomes necessary to determine whether a person was less  
21 than seventeen or eighteen years of age, the court or jury  
22 may make this determination by any of the following methods:

23           (1) Personal inspection of the child;

24           (2) Inspection of the photograph or motion picture  
25 that shows the child engaging in the sexual performance;

26           (3) Oral testimony by a witness to the sexual  
27 performance as to the age of the child based on the child's  
28 appearance at the time;

29           (4) Expert medical testimony based on the appearance  
30 of the child engaging in the sexual performance; or

31           (5) Any other method authorized by law or by the rules  
32 of evidence.

33           4. In any prosecution for promoting child pornography  
34 in the first or second degree **as it existed prior to August**  
35 **28, 2024, or for promoting child sexual abuse material in**  
36 **the first or second degree**, no showing is required that the

37 performance or material involved appeals to prurient  
38 interest, that it lacks serious literary, artistic,  
39 political or scientific value, or that it is patently  
40 offensive to prevailing standards in the community as a  
41 whole.

573.052. Upon receipt of any information that child  
2 [pornography] **sexual abuse material** as defined in section  
3 573.010 is contained on a website, the attorney general  
4 shall investigate such information. If the attorney general  
5 has probable cause to believe the website contains child  
6 [pornography] **sexual abuse material**, the attorney general  
7 shall notify a website operator of any child [pornography]  
8 **sexual abuse material** site residing on that website  
9 operator's server, in writing. If the website operator  
10 promptly, but in no event longer than five days after  
11 receiving notice, removes the alleged pornography from its  
12 server, and so long as the website operator is not the  
13 purveyor of such child [pornography] **sexual abuse material**,  
14 it shall be immune from civil liability. If the website  
15 operator does not promptly remove the alleged pornography,  
16 the attorney general may seek an injunction pursuant to  
17 section 573.070 to remove the child [pornography] **sexual**  
18 **abuse material** site from the website operator's server.  
19 This section shall not be construed to create any defense to  
20 any criminal charges brought pursuant to this chapter.

573.215. 1. A person commits the offense of failure  
2 to report child [pornography] **sexual abuse material** if he or  
3 she being a film and photographic print processor, computer  
4 provider, installer or repair person, or any internet  
5 service provider who has knowledge of or observes, within  
6 the scope of the person's professional capacity or  
7 employment, any film, photograph, videotape, negative,

8 slide, or computer-generated image or picture depicting a  
9 child under eighteen years of age engaged in an act of  
10 sexual conduct fails to report such instance to any law  
11 enforcement agency immediately or as soon as practically  
12 possible.

13 2. The offense of failure to report child  
14 **[pornography] sexual abuse material** is a class B misdemeanor.

15 3. Nothing in this section shall be construed to  
16 require a provider of electronic communication services or  
17 remote computing services to monitor any user, subscriber or  
18 customer of the provider, or the content of any  
19 communication of any user, subscriber or customer of the  
20 provider.

589.042. The court or the parole board shall have the  
2 authority to require a person who is required to register as  
3 a sexual offender under sections 589.400 to 589.425 to give  
4 his or her assigned probation or parole officer access to  
5 his or her personal home computer as a condition of  
6 probation or parole in order to monitor and prevent such  
7 offender from obtaining and keeping child **[pornography]**  
8 **sexual abuse material** or from committing an offense under  
9 chapter 566. Such access shall allow the probation or  
10 parole officer to view the internet use history, computer  
11 hardware, and computer software of any computer, including a  
12 laptop computer, that the offender owns.

589.400. 1. Sections 589.400 to 589.425 shall apply  
2 to:

3 (1) Any person who, since July 1, 1979, has been or is  
4 hereafter adjudicated for an offense referenced in section  
5 589.414, unless such person is exempt from registering under  
6 subsection 9 or 10 of this section or section 589.401;



(2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to commit one or more of the following offenses: kidnapping or kidnapping in the first degree when the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child under section 568.060 when such abuse is sexual in nature; felonious restraint or kidnapping in the second degree when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home or sexual conduct with a nursing facility resident or vulnerable person in the first or second degree; endangering the welfare of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree **as it existed prior to August 28, 2024; promoting child sexual abuse material in the first degree;** promoting child pornography in the second degree **as it existed prior to August 28, 2024; promoting child sexual abuse material in the second degree;** possession of child pornography **as it existed prior to August 28, 2024; possession of child sexual abuse material;** furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; patronizing prostitution if

39 the individual the person patronizes is less than eighteen  
40 years of age;

41 (3) Any person who, since July 1, 1979, has been  
42 committed to the department of mental health as a criminal  
43 sexual psychopath;

44 (4) Any person who, since July 1, 1979, has been found  
45 not guilty as a result of mental disease or defect of any  
46 offense referenced in section 589.414;

47 (5) Any juvenile certified as an adult and transferred  
48 to a court of general jurisdiction who has been adjudicated  
49 for an offense listed under section 589.414;

50 (6) Any juvenile fourteen years of age or older at the  
51 time of the offense who has been adjudicated for an offense  
52 which is equal to or more severe than aggravated sexual  
53 abuse under 18 U.S.C. Section 2241, which shall include any  
54 attempt or conspiracy to commit such offense;

55 (7) Any person who is a resident of this state who  
56 has, since July 1, 1979, been or is hereafter adjudicated in  
57 any other state, territory, the District of Columbia, or  
58 foreign country, or under federal, tribal, or military  
59 jurisdiction for an offense which, if committed in this  
60 state, would constitute an offense listed under section  
61 589.414, or has been or is required to register in another  
62 state, territory, the District of Columbia, or foreign  
63 country, or has been or is required to register under  
64 tribal, federal, or military law; or

65 (8) Any person who has been or is required to register  
66 in another state, territory, the District of Columbia, or  
67 foreign country, or has been or is required to register  
68 under tribal, federal, or military law and who works or  
69 attends an educational institution, whether public or  
70 private in nature, including any secondary school, trade

71 school, professional school, or institution of higher  
72 education on a full-time or on a part-time basis or has a  
73 temporary residence in Missouri. "Part-time" in this  
74 subdivision means for more than seven days in any twelve-  
75 month period.

76       2. Any person to whom sections 589.400 to 589.425  
77 apply shall, within three business days of adjudication,  
78 release from incarceration, or placement upon probation,  
79 register with the chief law enforcement official of the  
80 county or city not within a county in which such person  
81 resides unless such person has already registered in that  
82 county for the same offense. For any juvenile under  
83 subdivision (6) of subsection 1 of this section, within  
84 three business days of adjudication or release from  
85 commitment to the division of youth services, the department  
86 of mental health, or other placement, such juvenile shall  
87 register with the chief law enforcement official of the  
88 county or city not within a county in which he or she  
89 resides unless he or she has already registered in such  
90 county or city not within a county for the same offense.  
91 Any person to whom sections 589.400 to 589.425 apply if not  
92 currently registered in their county of residence shall  
93 register with the chief law enforcement official of such  
94 county or city not within a county within three business  
95 days. The chief law enforcement official shall forward a  
96 copy of the registration form required by section 589.407 to  
97 a city, town, village, or campus law enforcement agency  
98 located within the county of the chief law enforcement  
99 official.

100       3. The registration requirements of sections 589.400  
101 through 589.425 shall be as provided under subsection 4 of  
102 this section unless:

103           (1) All offenses requiring registration are reversed,  
104 vacated, or set aside;

105           (2) The registrant is no longer required to register  
106 and his or her name shall be removed from the registry under  
107 the provisions of section 589.414; or

108           (3) The court orders the removal or exemption of such  
109 person from the registry under section 589.401.

110           4. The registration requirements shall be as follows:

111           (1) Fifteen years if the offender is a tier I sex  
112 offender as provided under section 589.414;

113           (2) Twenty-five years if the offender is a tier II sex  
114 offender as provided under section 589.414; or

115           (3) The life of the offender if the offender is a tier  
116 III sex offender.

117           5. (1) The registration period shall be reduced as  
118 described in subdivision (3) of this subsection for a sex  
119 offender who maintains a clean record for the periods  
120 described under subdivision (2) of this subsection by:

121           (a) Not being adjudicated of any offense for which  
122 imprisonment for more than one year may be imposed;

123           (b) Not being adjudicated of any sex offense;

124           (c) Successfully completing any periods of supervised  
125 release, probation, or parole; and

126           (d) Successfully completing an appropriate sex  
127 offender treatment program certified by the attorney general.

128           (2) In the case of a:

129           (a) Tier I sex offender, the period during which the  
130 clean record shall be maintained is ten years;

131           (b) Tier III sex offender adjudicated delinquent for  
132 the offense which required registration in a sex offender  
133 registry under sections 589.400 to 589.425, the period

134 during which the clean record shall be maintained is twenty-  
135 five years.

136 (3) In the case of a:

137 (a) Tier I sex offender, the reduction is five years;

138 (b) Tier III sex offender adjudicated delinquent, the  
139 reduction is from life to that period for which the clean  
140 record under paragraph (b) of subdivision (2) of this  
141 subsection is maintained.

142 6. For processing an initial sex offender registration  
143 the chief law enforcement officer of the county or city not  
144 within a county may charge the offender registering a fee of  
145 up to ten dollars.

146 7. For processing any change in registration required  
147 pursuant to section 589.414 the chief law enforcement  
148 official of the county or city not within a county may  
149 charge the person changing their registration a fee of five  
150 dollars for each change made after the initial registration.

151 8. Any person currently on the sexual offender  
152 registry or who otherwise would be required to register for  
153 being adjudicated for the offense of felonious restraint of  
154 a nonsexual nature when the victim was a child and he or she  
155 was the parent or guardian of the child, nonsexual child  
156 abuse that was committed under section 568.060, or  
157 kidnapping of a nonsexual nature when the victim was a child  
158 and he or she was the parent or guardian of the child shall  
159 be removed from the registry. However, such person shall  
160 remain on the sexual offender registry for any other offense  
161 for which he or she is required to register under sections  
162 589.400 to 589.425.

163 9. The following persons shall be exempt from  
164 registering as a sexual offender upon petition to the court  
165 of jurisdiction under section 589.401; except that, such

person shall remain on the sexual offender registry for any other offense for which he or she is required to register under sections 589.400 to 589.425:

(1) Any person currently on the sexual offender registry or who otherwise would be required to register for a sexual offense involving:

(a) Sexual conduct where no force or threat of force was directed toward the victim or any other individual involved, if the victim was an adult, unless the adult was under the custodial authority of the offender at the time of the offense; or

(b) Sexual conduct where no force or threat of force was directed toward the victim, the victim was at least fourteen years of age, and the offender was not more than four years older than the victim at the time of the offense; or

(2) Any person currently required to register for the following sexual offenses:

(a) Promoting obscenity in the first degree under section 573.020;

(b) Promoting obscenity in the second degree under section 573.030;

(c) Furnishing pornographic materials to minors under section 573.040;

(d) Public display of explicit sexual material under section 573.060;

(e) Coercing acceptance of obscene material under section 573.065;

(f) Trafficking for the purpose of slavery, involuntary servitude, peonage, or forced labor under section 566.206;

197 (g) Abusing an individual through forced labor under  
198 section 566.203;

199 (h) Contributing to human trafficking through the  
200 misuse of documentation under section 566.215; or

201 (i) Acting as an international marriage broker and  
202 failing to provide the information and notice as required  
203 under section 578.475.

204 10. Any person currently on the sexual offender  
205 registry for having been adjudicated for a tier I or II  
206 offense or adjudicated delinquent for a tier III offense or  
207 other comparable offenses listed under section 589.414 may  
208 file a petition under section 589.401.

209 11. Any nonresident worker, including work as a  
210 volunteer or intern, or nonresident student shall register  
211 for the duration of such person's employment, including  
212 participation as a volunteer or intern, or attendance at any  
213 school of higher education whether public or private,  
214 including any secondary school, trade school, professional  
215 school, or institution of higher education on a full-time or  
216 part-time basis in this state unless granted relief under  
217 section 589.401. Any registered offender shall provide  
218 information regarding any place in which the offender is  
219 staying when away from his or her residence for seven or  
220 more days, including the period of time the offender is  
221 staying in such place. Any registered offender from another  
222 state who has a temporary residence in this state and  
223 resides more than seven days in a twelve-month period shall  
224 register for the duration of such person's temporary  
225 residency unless granted relief under section 589.401.

589.414. 1. Any person required by sections 589.400  
2 to 589.425 to register shall, within three business days,  
3 appear in person to the chief law enforcement officer of the

4 county or city not within a county if there is a change to  
5 any of the following information:

- 6 (1) Name;
- 7 (2) Residence;
- 8 (3) Employment, including status as a volunteer or  
9 intern;
- 10 (4) Student status; or
- 11 (5) A termination to any of the items listed in this  
12 subsection.

13 2. Any person required to register under sections  
14 589.400 to 589.425 shall, within three business days, notify  
15 the chief law enforcement official of the county or city not  
16 within a county of any changes to the following information:

- 17 (1) Vehicle information;
- 18 (2) Temporary lodging information;
- 19 (3) Temporary residence information;
- 20 (4) Email addresses, instant messaging addresses, and  
21 any other designations used in internet communications,  
22 postings, or telephone communications; or
- 23 (5) Telephone or other cellular number, including any  
24 new forms of electronic communication.

25 3. The chief law enforcement official in the county or  
26 city not within a county shall immediately forward the  
27 registration changes described under subsections 1 and 2 of  
28 this section to the Missouri state highway patrol within  
29 three business days.

30 4. If any person required by sections 589.400 to  
31 589.425 to register changes such person's residence or  
32 address to a different county or city not within a county,  
33 the person shall appear in person and shall inform both the  
34 chief law enforcement official with whom the person last  
35 registered and the chief law enforcement official of the



36 county or city not within a county having jurisdiction over  
37 the new residence or address in writing within three  
38 business days of such new address and phone number, if the  
39 phone number is also changed. If any person required by  
40 sections 589.400 to 589.425 to register changes his or her  
41 state, territory, the District of Columbia, or foreign  
42 country, or federal, tribal, or military jurisdiction of  
43 residence, the person shall appear in person and shall  
44 inform both the chief law enforcement official with whom the  
45 person was last registered and the chief law enforcement  
46 official of the area in the new state, territory, the  
47 District of Columbia, or foreign country, or federal,  
48 tribal, or military jurisdiction having jurisdiction over  
49 the new residence or address within three business days of  
50 such new address. Whenever a registrant changes residence,  
51 the chief law enforcement official of the county or city not  
52 within a county where the person was previously registered  
53 shall inform the Missouri state highway patrol of the change  
54 within three business days. When the registrant is changing  
55 the residence to a new state, territory, the District of  
56 Columbia, or foreign country, or federal, tribal, or  
57 military jurisdiction, the Missouri state highway patrol  
58 shall inform the responsible official in the new state,  
59 territory, the District of Columbia, or foreign country, or  
60 federal, tribal, or military jurisdiction of residence  
61 within three business days.

62 5. Tier I sexual offenders, in addition to the  
63 requirements of subsections 1 to 4 of this section, shall  
64 report in person to the chief law enforcement official  
65 annually in the month of their birth to verify the  
66 information contained in their statement made pursuant to  
67 section 589.407. Tier I sexual offenders include:

(1) Any offender who has been adjudicated for the offense of:

(a) Sexual abuse in the first degree under section 566.100 if the victim is eighteen years of age or older;

(b) Sexual misconduct involving a child under section 566.083 if it is a first offense and the punishment is less than one year;

(c) Sexual abuse in the second degree under section 566.101 if the punishment is less than a year;

(d) Kidnapping in the second degree under section 565.120 with sexual motivation;

(e) Kidnapping in the third degree under section 565.130;

(f) Sexual conduct with a nursing facility resident or vulnerable person in the first degree under section 566.115 if the punishment is less than one year;

(g) Sexual conduct under section 566.116 with a nursing facility resident or vulnerable person;

(h) Sexual **[contact with a prisoner or offender]** **conduct in the course of public duty** under section 566.145 if the victim is eighteen years of age or older;

(i) Sex with an animal under section 566.111;

(j) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim is eighteen years of age or older;

(k) Possession of child pornography under section 573.037 **as it existed prior to August 28, 2024;**

(l) **Possession of child sexual abuse material under section 573.037;**

(m) Sexual misconduct in the first degree under section 566.093;

99           [(m)] (n) Sexual misconduct in the second degree under  
100 section 566.095;

101           [(n)] (o) Child molestation in the second degree under  
102 section 566.068 as it existed prior to January 1, 2017, if  
103 the punishment is less than one year; or

104           [(o)] (p) Invasion of privacy under section 565.252 if  
105 the victim is less than eighteen years of age;

106           (2) Any offender who is or has been adjudicated in any  
107 other state, territory, the District of Columbia, or foreign  
108 country, or under federal, tribal, or military jurisdiction  
109 of an offense of a sexual nature or with a sexual element  
110 that is comparable to the tier I sexual offenses listed in  
111 this subsection or, if not comparable to those in this  
112 subsection, comparable to those described as tier I offenses  
113 under the Sex Offender Registration and Notification Act,  
114 Title I of the Adam Walsh Child Protection and Safety Act of  
115 2006, Pub. L. 109-248.

116           6. Tier II sexual offenders, in addition to the  
117 requirements of subsections 1 to 4 of this section, shall  
118 report semiannually in person in the month of their birth  
119 and six months thereafter to the chief law enforcement  
120 official to verify the information contained in their  
121 statement made pursuant to section 589.407. Tier II sexual  
122 offenders include:

123           (1) Any offender who has been adjudicated for the  
124 offense of:

125           (a) Statutory sodomy in the second degree under  
126 section 566.064 if the victim is sixteen to seventeen years  
127 of age;

128           (b) Child molestation in the third degree under  
129 section 566.069 if the victim is between thirteen and  
130 fourteen years of age;

131 (c) Sexual contact with a student under section  
132 566.086 if the victim is thirteen to seventeen years of age;  
133 (d) Enticement of a child under section 566.151;  
134 (e) Abuse of a child under section 568.060 if the  
135 offense is of a sexual nature and the victim is thirteen to  
136 seventeen years of age;  
137 (f) Sexual exploitation of a minor under section  
138 573.023;  
139 (g) Promoting child pornography in the first degree  
140 under section 573.025 **as it existed prior to August 28, 2024;**  
141 (h) **Promoting child sexual abuse material in the first**  
142 **degree under section 573.025;**  
143 (i) Promoting child pornography in the second degree  
144 under section 573.035 **as it existed prior to August 28, 2024;**  
145 (j) **Promoting child sexual abuse material in the**  
146 **second degree under section 573.035;**  
147 [(i)] (k) Patronizing prostitution under section  
148 567.030;  
149 [(j)] (l) Sexual [contact with a prisoner or offender]  
150 **conduct in the course of public duty** under section 566.145  
151 if the victim is thirteen to seventeen years of age;  
152 [(k)] (m) Child molestation in the fourth degree under  
153 section 566.071 if the victim is thirteen to seventeen years  
154 of age;  
155 [(l)] (n) Sexual misconduct involving a child under  
156 section 566.083 if it is a first offense and the penalty is  
157 a term of imprisonment of more than a year; or  
158 [(m)] (o) Age misrepresentation with intent to solicit  
159 a minor under section 566.153;  
160 (2) Any person who is adjudicated of an offense  
161 comparable to a tier I offense listed in this section or  
162 failure to register offense under section 589.425 or

comparable out-of-state failure to register offense and who is already required to register as a tier I offender due to having been adjudicated of a tier I offense on a previous occasion; or

(3) Any person who is or has been adjudicated in any other state, territory, the District of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of a sexual nature or with a sexual element that is comparable to the tier II sexual offenses listed in this subsection or, if not comparable to those in this subsection, comparable to those described as tier II offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.

7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this section, shall report in person to the chief law enforcement official every ninety days to verify the information contained in their statement made under section 589.407. Tier III sexual offenders include:

(1) Any offender registered as a predatory sexual offender as defined in section 566.123 or a persistent sexual offender as defined in section 566.124;

(2) Any offender who has been adjudicated for the crime of:

(a) Rape in the first degree under section 566.030;

(b) Statutory rape in the first degree under section 566.032;

(c) Rape in the second degree under section 566.031;

(d) Endangering the welfare of a child in the first degree under section 568.045 if the offense is sexual in nature;

195           (e) Sodomy in the first degree under section 566.060;  
196           (f) Statutory sodomy under section 566.062;  
197           (g) Statutory sodomy under section 566.064 if the  
198 victim is under sixteen years of age;  
199           (h) Sodomy in the second degree under section 566.061;  
200           (i) Sexual misconduct involving a child under section  
201 566.083 if the offense is a second or subsequent offense;  
202           (j) Sexual abuse in the first degree under section  
203 566.100 if the victim is under thirteen years of age;  
204           (k) Kidnapping in the first degree under section  
205 565.110 if the victim is under eighteen years of age,  
206 excluding kidnapping by a parent or guardian;  
207           (l) Child kidnapping under section 565.115;  
208           (m) Sexual conduct with a nursing facility resident or  
209 vulnerable person in the first degree under section 566.115  
210 if the punishment is greater than a year;  
211           (n) Incest under section 568.020;  
212           (o) Endangering the welfare of a child in the first  
213 degree under section 568.045 with sexual intercourse or  
214 deviate sexual intercourse with a victim under eighteen  
215 years of age;  
216           (p) Child molestation in the first degree under  
217 section 566.067;  
218           (q) Child molestation in the second degree under  
219 section 566.068;  
220           (r) Child molestation in the third degree under  
221 section 566.069 if the victim is under thirteen years of age;  
222           (s) Promoting prostitution in the first degree under  
223 section 567.050 if the victim is under eighteen years of age;  
224           (t) Promoting prostitution in the second degree under  
225 section 567.060 if the victim is under eighteen years of age;

226 (u) Promoting prostitution in the third degree under  
227 section 567.070 if the victim is under eighteen years of age;

228 (v) Promoting travel for prostitution under section  
229 567.085 if the victim is under eighteen years of age;

230 (w) Trafficking for the purpose of sexual exploitation  
231 under section 566.209 if the victim is under eighteen years  
232 of age;

233 (x) Sexual trafficking of a child in the first degree  
234 under section 566.210;

235 (y) Sexual trafficking of a child in the second degree  
236 under section 566.211;

237 (z) Genital mutilation of a female child under section  
238 568.065;

239 (aa) Statutory rape in the second degree under section  
240 566.034;

241 (bb) Child molestation in the fourth degree under  
242 section 566.071 if the victim is under thirteen years of age;

243 (cc) Sexual abuse in the second degree under section  
244 566.101 if the penalty is a term of imprisonment of more  
245 than a year;

246 (dd) Patronizing prostitution under section 567.030 if  
247 the offender is a persistent offender;

248 (ee) Abuse of a child under section 568.060 if the  
249 offense is of a sexual nature and the victim is under  
250 thirteen years of age;

251 (ff) Sexual [contact with a prisoner or offender]  
252 **conduct in the course of public duty** under section 566.145  
253 if the victim is under thirteen years of age;

254 (gg) [Sexual intercourse with a prisoner or offender  
255 under section 566.145;

256 (hh)] Sexual contact with a student under section  
257 566.086 if the victim is under thirteen years of age;

258           [(ii)] (hh) Use of a child in a sexual performance  
259 under section 573.200; or

260           [(jj)] (ii) Promoting a sexual performance by a child  
261 under section 573.205;

262           (3) Any offender who is adjudicated for a crime  
263 comparable to a tier I or tier II offense listed in this  
264 section or failure to register offense under section  
265 589.425, or other comparable out-of-state failure to  
266 register offense, who has been or is already required to  
267 register as a tier II offender because of having been  
268 adjudicated for a tier II offense, two tier I offenses, or  
269 combination of a tier I offense and failure to register  
270 offense, on a previous occasion;

271           (4) Any offender who is adjudicated in any other  
272 state, territory, the District of Columbia, or foreign  
273 country, or under federal, tribal, or military jurisdiction  
274 for an offense of a sexual nature or with a sexual element  
275 that is comparable to a tier III offense listed in this  
276 section or a tier III offense under the Sex Offender  
277 Registration and Notification Act, Title I of the Adam Walsh  
278 Child Protection and Safety Act of 2006, Pub. L. 109-248; or

279           (5) Any offender who is adjudicated in Missouri for  
280 any offense of a sexual nature requiring registration under  
281 sections 589.400 to 589.425 that is not classified as a tier  
282 I or tier II offense in this section.

283           8. In addition to the requirements of subsections 1 to  
284 7 of this section, all Missouri registrants who work,  
285 including as a volunteer or unpaid intern, or attend any  
286 school whether public or private, including any secondary  
287 school, trade school, professional school, or institution of  
288 higher education, on a full-time or part-time basis or have  
289 a temporary residence in this state shall be required to



290 report in person to the chief law enforcement officer in the  
291 area of the state where they work, including as a volunteer  
292 or unpaid intern, or attend any school or training and  
293 register in that state. "Part-time" in this subsection  
294 means for more than seven days in any twelve-month period.

295 9. If a person who is required to register as a sexual  
296 offender under sections 589.400 to 589.425 changes or  
297 obtains a new online identifier as defined in section  
298 43.651, the person shall report such information in the same  
299 manner as a change of residence before using such online  
300 identifier.

650.120. 1. There is hereby created in the state  
2 treasury the "Cyber Crime Investigation Fund". The  
3 treasurer shall be custodian of the fund and may approve  
4 disbursements from the fund in accordance with sections  
5 30.170 and 30.180. The department of public safety shall be  
6 the administrator of the fund. Moneys in the fund shall be  
7 used solely for the administration of the grant program  
8 established under this section. Notwithstanding the  
9 provisions of section 33.080 to the contrary, any moneys  
10 remaining in the fund at the end of the biennium shall not  
11 revert to the credit of the general revenue fund. The state  
12 treasurer shall invest moneys in the fund in the same manner  
13 as other funds are invested. Any interest and moneys earned  
14 on such investments shall be credited to the fund.

15 2. The department of public safety shall create a  
16 program to distribute grants to multijurisdictional internet  
17 cyber crime law enforcement task forces, multijurisdictional  
18 enforcement groups, as defined in section 650.153, that are  
19 investigating internet sex crimes against children, and  
20 other law enforcement agencies. The program shall be funded  
21 by the cyber crime investigation fund created under

subsection 1 of this section. Not more than three percent of the money in the fund may be used by the department to pay the administrative costs of the grant program. The grants shall be awarded and used to pay the salaries of detectives and computer forensic personnel whose focus is investigating internet sex crimes against children, including but not limited to enticement of a child, possession or promotion of child [pornography] **sexual abuse material**, provide funding for the training of law enforcement personnel and prosecuting and circuit attorneys as well as their assistant prosecuting and circuit attorneys, and purchase necessary equipment, supplies, and services. The funding for such training may be used to cover the travel expenses of those persons participating.

3. A panel is hereby established in the department of public safety to award grants under this program and shall be comprised of the following members:

(1) The director of the department of public safety, or his or her designee;

(2) Two members appointed by the director of the department of public safety from a list of six nominees submitted by the Missouri Police Chiefs Association;

(3) Two members appointed by the director of the department of public safety from a list of six nominees submitted by the Missouri Sheriffs' Association;

(4) Two members of the state highway patrol appointed by the director of the department of public safety from a list of six nominees submitted by the Missouri State Troopers Association;

(5) One member of the house of representatives appointed by the speaker of the house of representatives; and

53           (6) One member of the senate appointed by the  
54 president pro tem.

55 The panel members who are appointed under subdivisions (2),  
56 (3), and (4) of this subsection shall serve a four-year term  
57 ending four years from the date of expiration of the term  
58 for which his or her predecessor was appointed. However, a  
59 person appointed to fill a vacancy prior to the expiration  
60 of such a term shall be appointed for the remainder of the  
61 term. Such members shall hold office for the term of his or  
62 her appointment and until a successor is appointed. The  
63 members of the panel shall receive no additional  
64 compensation but shall be eligible for reimbursement for  
65 mileage directly related to the performance of panel duties.

66           4. Local matching amounts, which may include new or  
67 existing funds or in-kind resources including but not  
68 limited to equipment or personnel, are required for  
69 multijurisdictional internet cyber crime law enforcement  
70 task forces and other law enforcement agencies to receive  
71 grants awarded by the panel. Such amounts shall be  
72 determined by the state appropriations process or by the  
73 panel.

74           5. When awarding grants, priority should be given to  
75 newly hired detectives and computer forensic personnel.

76           6. The panel shall establish minimum training  
77 standards for detectives and computer forensic personnel  
78 participating in the grant program established in subsection  
79 2 of this section.

80           7. Multijurisdictional internet cyber crime law  
81 enforcement task forces and other law enforcement agencies  
82 participating in the grant program established in subsection  
83 2 of this section shall share information and cooperate with

84 the highway patrol and with existing internet crimes against  
85 children task force programs.

86 8. The panel may make recommendations to the general  
87 assembly regarding the need for additional resources or  
88 appropriations.

89 9. The power of arrest of any peace officer who is  
90 duly authorized as a member of a multijurisdictional  
91 internet cyber crime law enforcement task force shall only  
92 be exercised during the time such peace officer is an active  
93 member of such task force and only within the scope of the  
94 investigation on which the task force is working.

95 Notwithstanding other provisions of law to the contrary,  
96 such task force officer shall have the power of arrest, as  
97 limited in this subsection, anywhere in the state and shall  
98 provide prior notification to the chief of police of a  
99 municipality or the sheriff of the county in which the  
100 arrest is to take place. If exigent circumstances exist,  
101 such arrest may be made and notification shall be made to  
102 the chief of police or sheriff as appropriate and as soon as  
103 practical. The chief of police or sheriff may elect to work  
104 with the multijurisdictional internet cyber crime law  
105 enforcement task force at his or her option when such task  
106 force is operating within the jurisdiction of such chief of  
107 police or sheriff.

108 10. Under section 23.253 of the Missouri sunset act:

109 (1) The provisions of the new program authorized under  
110 this section shall be reauthorized on August 28, 2014, and  
111 shall expire on December 31, 2024, unless reauthorized by an  
112 act of the general assembly; and

113 (2) If such program is reauthorized, the program  
114 authorized under this section shall sunset automatically

115 twelve years after the effective date of the reauthorization  
116 of this section; and

117 (3) This section shall terminate on September first of  
118 the calendar year immediately following the calendar year in  
119 which the program authorized under this section is sunset.

660.520. 1. There is hereby established in the  
2 department of social services a special team, to be known as  
3 the "state technical assistance team", to assist in cases of  
4 child abuse, child neglect, child sexual abuse, child  
5 exploitation, child [pornography] **sexual abuse material**, or  
6 child fatality. It shall be the priority of the team to  
7 focus on those cases in which more than one report has been  
8 received. The team shall:

9 (1) Provide assistance, expertise, and training to  
10 child protection agencies and multidisciplinary teams for  
11 the investigation and prosecution of child abuse, child  
12 neglect, child sexual abuse, child exploitation, child  
13 [pornography] **sexual abuse material**, or child fatality cases;

14 (2) Assist in the investigation of child abuse, child  
15 neglect, child sexual abuse, child exploitation, child  
16 [pornography] **sexual abuse material**, or child fatality  
17 cases, upon the request of a local, county, state, or  
18 federal law enforcement agency, county, state, or federal  
19 prosecutor, a representative of the family courts, medical  
20 examiner, coroner, juvenile officer, or department of social  
21 services staff. Upon being requested to assist in an  
22 investigation, the state technical assistance team shall  
23 notify appropriate parties specified in this subdivision of  
24 the team's involvement. State technical assistance team  
25 investigators licensed as peace officers by the director of  
26 the department of public safety pursuant to chapter 590  
27 shall be deemed to be peace officers within the state of

Missouri while acting in an investigation or on behalf of a child. The power of arrest of a state technical assistance team investigator acting as a peace officer shall be limited to offenses involving child abuse, child neglect, child sexual abuse, child exploitation, child **[pornography] sexual abuse material**, child fatality, or in situations of imminent danger to the investigator or another person;

(3) Assist county multidisciplinary teams to develop and implement protocols for the investigation and prosecution of child abuse, child neglect, child sexual abuse, child exploitation, child **[pornography] sexual abuse material**, or child fatality cases.

2. The team may call upon the expertise of the office of the attorney general, the Missouri office of prosecution services, the state highway patrol, the department of health and senior services, the department of mental health or any other agency or institution.

3. Each county may develop a multidisciplinary team for the purpose of determining the appropriate investigative and therapeutic action to be initiated on complaints referenced in subsection 1 of this section reported to the children's division. The multidisciplinary team may include, but is not limited to, a prosecutor, or his or her representative, an investigator from the children's division, a physician, a representative from a mental health care services agency and a representative of the police agency of primary jurisdiction.

4. All reports and records made and maintained by the state technical assistance team or local law enforcement relating to criminal investigations conducted pursuant to this section, including arrests, shall be available in the same manner as law enforcement records, as set forth in

60 sections 610.100 to 610.200, and to the individuals  
61 identified in subdivision (13) of subsection 2 of section  
62 210.150. All other records shall be available in the same  
63 manner as provided for in section 210.150.

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