

SENATE BILL NO. 1398

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN (26).

5528S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 190.142, 210.1505, 211.326, 337.618, 491.075, 492.304, 566.151, 567.030, and 590.050, RSMo, and section 56.265 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 56.265 as enacted by senate bill no. 275, ninetieth general assembly, first regular session, and to enact in lieu thereof thirteen 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 190.142, 210.1505, 211.326, 337.618, 491.075, 492.304, 566.151, 567.030, and 590.050, RSMo, and section 56.265 as enacted by senate bill no. 672, ninety-seventh general assembly, second regular session, and section 56.265 as enacted by senate bill no. 275, ninetieth general assembly, first regular session, are repealed and thirteen new sections enacted in lieu thereof, to be known as sections 27.170, 56.265, 190.142, 210.1505, 211.326, 335.059, 337.618, 491.075, 492.304, 566.151, 567.030, 589.700, and 590.050, to read as follows:

27.170. 1. There is hereby established the "Committee on Sex and Human Trafficking Training".

2. The committee shall consist of the following members:

(1) A representative of the attorney general's office who is involved in the office's anti-trafficking efforts appointed by the attorney general;

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

8 (2) A representative of the department of public
9 safety with experience in human trafficking investigations
10 appointed by the director of the department of public safety;

11 (3) A representative from a child advocacy center
12 appointed by the director of a statewide nonprofit
13 organization that advocates for the protection of children;

14 (4) A juvenile officer appointed by the chief justice
15 of the supreme court of Missouri;

16 (5) A representative from an agency providing victim
17 services appointed by the director of the department of
18 social services;

19 (6) A representative from a child abuse medical
20 resource center, as defined in section 334.950, appointed by
21 the director of the department of health and senior
22 services; and

23 (7) A representative from a hospital, as defined in
24 section 197.020, located in a rural area appointed by the
25 director of a statewide nonprofit organization that
26 represents hospitals.

27 3. The member who represents the attorney general's
28 office shall serve as chair of the committee.

29 4. Members of the committee shall serve without
30 compensation but may be reimbursed for actual expenses
31 necessary to the performance of their official duties for
32 the committee.

33 5. The committee shall annually evaluate, and
34 establish guidelines for, the sex and human trafficking
35 training, to be produced and distributed in a digital
36 platform, required under sections 56.265, 190.142, 198.082,
37 211.326, 335.059, 337.618, and 590.050.

38 6. Any board, department, or agency that regulates any
39 profession for which sex and human trafficking training is

40 required as described in subsection 5 of this section may
 41 provide such training. Funding for the training shall be
 42 subject to appropriations.

43 7. The provisions of this section shall become
 44 effective on January 1, 2025, and shall expire on December
 45 31, 2029.

[56.265. 1. The county prosecuting
 2 attorney in any county, other than in a
 3 chartered county, shall receive an annual salary
 4 computed using the following schedule, when
 5 applicable. The assessed valuation factor shall
 6 be the amount thereof as shown for the year
 7 immediately preceding the year for which the
 8 computation is done.

9 (1) For a full-time prosecutor the
 10 prosecutor shall receive compensation equal to
 11 the compensation of an associate circuit judge;

12 (2) For a part-time prosecutor:

Assessed Valuation	Amount
\$18,000,000 to 40,999,999	\$37,000
41,000,000 to 53,999,999	38,000
54,000,000 to 65,999,999	39,000
66,000,000 to 85,999,999	41,000
86,000,000 to 99,999,999	43,000
100,000,000 to 130,999,999	45,000
131,000,000 to 159,999,999	47,000
160,000,000 to 189,999,999	49,000
190,000,000 to 249,999,999	51,000
250,000,000 to 299,999,999	53,000
300,000,000 or more	55,000]

25 [2. Two thousand dollars of the salary
26 authorized in this section shall be payable to
27 the prosecuting attorney only if the prosecuting
28 attorney has completed at least twenty hours of
29 classroom instruction each calendar year
30 relating to the operations of the prosecuting
31 attorney's office when approved by a
32 professional association of the county
33 prosecuting attorneys of Missouri unless
34 exempted from the training by the professional
35 association. The professional association
36 approving the program shall provide a
37 certificate of completion to each prosecuting
38 attorney who completes the training program and
39 shall send a list of certified prosecuting
40 attorneys to the treasurer of each county.
41 Expenses incurred for attending the training
42 session may be reimbursed to the county
43 prosecuting attorney in the same manner as other
44 expenses as may be appropriated for that purpose.

45 3. As used in this section, the term
46 "prosecuting attorney" includes the circuit
47 attorney of any city not within a county.

48 4. The prosecuting attorney of any county
49 which becomes a county of the first
50 classification during a four-year term of office
51 or a county which passed the proposition
52 authorized by subsection 1 of section 56.363
53 shall not be required to devote full time to
54 such office pursuant to section 56.067 until the
55 beginning of the prosecuting attorney's next
56 term of office or until the proposition
57 otherwise becomes effective.

58 5. The provisions of section 56.066 shall
59 not apply to full-time prosecutors who are
60 compensated pursuant to subdivision (1) of
61 subsection 1 of this section.]

56.265. 1. The county prosecuting attorney in any
2 county, other than in a chartered county, shall receive an
3 annual salary computed using the following schedule, when
4 applicable. The assessed valuation factor shall be the

5 amount thereof as shown for the year immediately preceding
 6 the year for which the computation is done.

7 (1) For a full-time prosecutor the prosecutor shall
 8 receive compensation equal to the compensation of an
 9 associate circuit judge;

10 (2) For a part-time prosecutor:

11	Assessed Valuation		Amount
12	\$18,000,000	to	40,999,999 \$37,000
13	41,000,000	to	53,999,999 38,000
14	54,000,000	to	65,999,999 39,000
15	66,000,000	to	85,999,999 41,000
16	86,000,000	to	99,999,999 43,000
17	100,000,000	to	130,999,999 45,000
18	131,000,000	to	159,999,999 47,000
19	160,000,000	to	189,999,999 49,000
20	190,000,000	to	249,999,999 51,000
21	250,000,000	to	299,999,999 53,000
22	300,000,000	or more	55,000

23 2. Two thousand dollars of the salary authorized in
 24 this section shall be payable to the prosecuting attorney
 25 only if the prosecuting attorney has completed:

26 (1) At least twenty hours of classroom instruction
 27 each calendar year relating to the operations of the
 28 prosecuting attorney's office when approved by a
 29 professional association of the county prosecuting attorneys
 30 of Missouri unless exempted from the training by the
 31 professional association. The professional association
 32 approving the program shall provide a certificate of
 33 completion to each prosecuting attorney who completes the

34 training program and shall send a list of certified
35 prosecuting attorneys to the treasurer of each county.
36 Expenses incurred for attending the training session may be
37 reimbursed to the county prosecuting attorney in the same
38 manner as other expenses as may be appropriated for that
39 purpose; **and**

40 **(2) One hour of sex and human trafficking training**
41 **each calendar year consistent with the guidelines**
42 **established in section 21.170. The provisions of this**
43 **subdivision shall become effective on January 1, 2025, and**
44 **shall expire on December 31, 2029.**

45 3. As used in this section, the term "prosecuting
46 attorney" includes the circuit attorney of any city not
47 within a county.

48 4. The prosecuting attorney of any county which
49 becomes a county of the first classification during a four-
50 year term of office or a county which passed the proposition
51 authorized by section 56.363 shall not be required to devote
52 full time to such office pursuant to section 56.067 until
53 the beginning of the prosecuting attorney's next term of
54 office or until the proposition otherwise becomes effective.

55 5. The provisions of section 56.066 shall not apply to
56 full-time prosecutors who are compensated pursuant to
57 subdivision (1) of subsection 1 of this section.

190.142. 1. (1) For applications submitted before
2 the recognition of EMS personnel licensure interstate
3 compact under sections 190.900 to 190.939 takes effect, the
4 department shall, within a reasonable time after receipt of
5 an application, cause such investigation as it deems
6 necessary to be made of the applicant for an emergency
7 medical technician's license.

8 (2) For applications submitted after the recognition
9 of EMS personnel licensure interstate compact under sections
10 190.900 to 190.939 takes effect, an applicant for initial
11 licensure as an emergency medical technician in this state
12 shall submit to a background check by the Missouri state
13 highway patrol and the Federal Bureau of Investigation
14 through a process approved by the department of health and
15 senior services. Such processes may include the use of
16 vendors or systems administered by the Missouri state
17 highway patrol. The department may share the results of
18 such a criminal background check with any emergency services
19 licensing agency in any member state, as that term is
20 defined under section 190.900, in recognition of the EMS
21 personnel licensure interstate compact. The department
22 shall not issue a license until the department receives the
23 results of an applicant's criminal background check from the
24 Missouri state highway patrol and the Federal Bureau of
25 Investigation, but, notwithstanding this subsection, the
26 department may issue a temporary license as provided under
27 section 190.143. Any fees due for a criminal background
28 check shall be paid by the applicant.

29 (3) The director may authorize investigations into
30 criminal records in other states for any applicant.

31 2. The department shall issue a license to all levels
32 of emergency medical technicians, for a period of five
33 years, if the applicant meets the requirements established
34 pursuant to sections 190.001 to 190.245 and the rules
35 adopted by the department pursuant to sections 190.001 to
36 190.245. The department may promulgate rules relating to
37 the requirements for an emergency medical technician
38 including but not limited to:

39 (1) Age requirements;

40 (2) Emergency medical technician and paramedic
41 education and training requirements based on respective
42 National Emergency Medical Services Education Standards and
43 any modification to such curricula specified by the
44 department through rules adopted pursuant to sections
45 190.001 to 190.245;

46 (3) Paramedic accreditation requirements. Paramedic
47 training programs shall be accredited as required by the
48 National Registry of Emergency Medical Technicians;

49 (4) Initial licensure testing requirements. Initial
50 paramedic licensure testing shall be through the national
51 registry of EMTs;

52 (5) **(a)** Continuing education and relicensure
53 requirements.

54 **(b) The department shall require each emergency**
55 **medical technician, including each paramedic, to receive**
56 **four hours of sex and human trafficking training consistent**
57 **with the guidelines established in section 27.170 as part of**
58 **the continuing education requirements for relicensure every**
59 **five years. The provisions of this paragraph shall become**
60 **effective on January 1, 2025, and shall expire on December**
61 **31, 2029; and**

62 (6) Ability to speak, read and write the English
63 language.

64 3. Application for all levels of emergency medical
65 technician license shall be made upon such forms as
66 prescribed by the department in rules adopted pursuant to
67 sections 190.001 to 190.245. The application form shall
68 contain such information as the department deems necessary
69 to make a determination as to whether the emergency medical
70 technician meets all the requirements of sections 190.001 to

71 190.245 and rules promulgated pursuant to sections 190.001
72 to 190.245.

73 4. All levels of emergency medical technicians may
74 perform only that patient care which is:

75 (1) Consistent with the training, education and
76 experience of the particular emergency medical technician;
77 and

78 (2) Ordered by a physician or set forth in protocols
79 approved by the medical director.

80 5. No person shall hold themselves out as an emergency
81 medical technician or provide the services of an emergency
82 medical technician unless such person is licensed by the
83 department.

84 6. Any rule or portion of a rule, as that term is
85 defined in section 536.010, that is created under the
86 authority delegated in this section shall become effective
87 only if it complies with and is subject to all of the
88 provisions of chapter 536 and, if applicable, section
89 536.028. This section and chapter 536 are nonseverable and
90 if any of the powers vested with the general assembly
91 pursuant to chapter 536 to review, to delay the effective
92 date, or to disapprove and annul a rule are subsequently
93 held unconstitutional, then the grant of rulemaking
94 authority and any rule proposed or adopted after August 28,
95 2002, shall be invalid and void.

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

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

22 (3) The director of the department of public safety or
23 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) **A representative from any other government or**
57 **nongovernment organization deemed necessary by the attorney**
58 **general.**

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

67 [3. The council shall:

68 (1) Collect and analyze data relating to sex
69 trafficking and sexual exploitation of children, including
70 the number of reports made to the children's division under

71 section 210.115, any information obtained from phone calls
72 to the national sex trafficking hotline, the number of
73 reports made to law enforcement, arrests, prosecution rates,
74 and any other data important for any recommendations of the
75 council. State departments and council members shall
76 provide relevant data as requested by the council to fulfill
77 the council's duties; and

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

87 4. The department of social services shall provide
88 administrative support to the council.

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

97 6. The council shall expire on December 31, 2023]

98 3. **The attorney general shall provide administrative**
99 **support to the council.**

100 4. (1) **There is hereby created in the state treasury**
101 **the "Anti-Trafficking Fund", which shall consist of moneys**
102 **appropriated to it by the general assembly and any grants,**

103 gifts, donations, and bequests. The state treasurer shall
104 be custodian of the fund. In accordance with sections
105 30.170 and 30.180, the state treasurer may approve
106 disbursements. The fund shall be a dedicated fund and, upon
107 appropriation, moneys in this fund shall be used solely to
108 pay for the position of the executive director of the
109 statewide council against adult trafficking and the
110 commercial exploitation of children, education and awareness
111 regarding human trafficking, and anti-trafficking efforts
112 throughout the state of Missouri.

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

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

211.326. 1. The state courts administrator shall:

2 (1) Evaluate existing services by establishing
3 performance standards including performance standards for
4 juvenile courts receiving diversion funds;

5 (2) Develop standards for orientation training for all
6 new juvenile court professional personnel, including
7 juvenile officers, deputy juvenile officers and other
8 personnel deemed necessary by the state courts administrator;

9 (3) Develop standards for continuing education for
10 existing juvenile court professional personnel, including
11 juvenile officers, deputy juvenile officers and other
12 personnel deemed necessary by the state courts administrator;

13 (4) Develop a process to evaluate services and collect
14 relevant outcome data;

15 (5) Develop a standardized assessment form for
16 classifying juvenile offenders; and

17 (6) Develop guidelines for juvenile court judges to
18 use in determining the length of time a child may be
19 detained prior to informal adjustment or formal adjudication.

20 2. Standards, training and assessment forms developed
21 pursuant to subsection 1 of this section shall be developed
22 considering racial disparities in the juvenile justice
23 system.

24 **3. Continuing education standards established under**
25 **subdivision (3) of subsection 1 of this section shall**
26 **include a requirement that each juvenile officer annually**
27 **completes one hour of sex and human trafficking training**
28 **consistent with the guidelines established in section**
29 **27.170. The provisions of this subsection shall become**
30 **effective on January 1, 2025, and shall expire on December**
31 **31, 2029.**

 335.059. 1. Each registered nurse, licensed practical
2 nurse, and advanced practice registered nurse licensed under
3 this chapter shall annually complete one hour of sex and
4 human trafficking training consistent with the guidelines
5 established in section 27.170.

6 2. The state board of nursing shall not renew the
7 license of a nurse subject to the requirement under
8 subsection 1 of this section unless the nurse has
9 demonstrated compliance with such requirement.

10 **3. The provisions of this section shall become**
11 **effective on January 1, 2025, and shall expire on December**
12 **31, 2029.**

 337.618. 1. Each license issued pursuant to the
2 provisions of sections 337.600 to 337.689 shall expire on a
3 renewal date established by the director. The term of

4 licensure shall be twenty-four months. The committee shall
5 require a minimum number of thirty clock hours of continuing
6 education for renewal of a license issued pursuant to
7 sections 337.600 to 337.689, including two hours of suicide
8 assessment, referral, treatment, and management training.
9 The committee shall renew any license upon application for a
10 renewal, completion of the required continuing education
11 hours and upon payment of the fee established by the
12 committee pursuant to the provisions of section 337.612. As
13 provided by rule, the board may waive or extend the time
14 requirements for completion of continuing education for
15 reasons related to health, military service, foreign
16 residency, or for other good cause. All requests for
17 waivers or extensions of time shall be made in writing and
18 submitted to the board before the renewal date.

19 **2. The hours of continuing education required for**
20 **renewal of a license under this section shall include two**
21 **hours of sex and human trafficking training consistent with**
22 **the guidelines established in section 27.170. The**
23 **provisions of this subsection shall become effective on**
24 **January 1, 2025, and shall expire on December 31, 2029.**

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, **or a current employee**
30 **of a child assessment center if a child was recorded**, is
31 present at the proceeding and available to testify or be
32 cross-examined by either party; and

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

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

41 3. If the visual and aural recording of a verbal or
42 nonverbal statement of a child **or vulnerable person** is
43 admissible under this section and the child **or vulnerable**
44 **person** testifies at the proceeding, it shall be admissible
45 in addition to the testimony of the child **or vulnerable**
46 **person** at the proceeding whether or not it repeats or
47 duplicates the child's **or vulnerable person's** testimony.

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

53 5. For the purposes of this section, "vulnerable
54 **person**" shall mean a person who, as a result of an
55 **inadequately developed or impaired intelligence or a**
56 **psychiatric disorder that materially affects the ability to**

57 **function, lacks the mental capacity to consent, or whose**
58 **developmental level does not exceed that of an ordinary**
59 **child of seventeen years of age.**

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.

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]~~ **E felony**, unless the individual who the
18 person patronizes is less than eighteen years of age but
19 older than ~~[fourteen]~~ **fifteen** years of age, in which case
20 patronizing prostitution is a class ~~[E]~~ **D** 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;

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

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

**589.700. 1. In addition to any fine imposed for a
2 violation of section 566.203, 566.206, 566.209, 566.210,
3 566.211, or 566.215, the court shall enter a judgment of
4 restitution in the amount specified in this subsection in
5 favor of the state of Missouri, payable to the human
6 trafficking and sexual exploitation fund established under
7 this section, upon a plea of guilty or a finding of guilt
8 for a violation of section 566.203, 566.206, 566.209,
9 566.210, 566.211, or 566.215. The judgment of restitution
10 shall be in the amount of:**

11 (1) Ten thousand dollars per each identified victim of
12 the offense or offenses for which restitution is required
13 under this subsection; and

14 (2) Two thousand five hundred dollars for each county
15 in which such offense or offenses occurred.

16 2. There is hereby created in the state treasury the
17 "Human Trafficking and Sexual Exploitation Fund", which
18 shall consist of proceeds from the human trafficking
19 restitution collected for violations of sections 566.203,
20 566.206, 566.209, 566.210, 566.211, and 566.215. The state
21 treasurer shall be custodian of the fund. In accordance
22 with sections 30.170 and 30.180, the state treasurer may
23 approve disbursements. The fund shall be a dedicated fund
24 and, upon appropriation, moneys in this fund shall be
25 distributed to the county or counties where the human
26 trafficking offense or offenses occurred. Upon receipt of
27 moneys from the fund, a county shall allocate the
28 disbursement as follows:

29 (1) Ten thousand dollars per each identified victim of
30 the offense or offenses that occurred in the county toward
31 local rehabilitation services for victims of human
32 trafficking including, but not limited to, mental health and
33 substance abuse counseling; general education, including
34 parenting skills; housing relief; vocational training; and
35 employment counseling; and

36 (2) Two thousand five hundred dollars toward local
37 efforts to prevent human trafficking including, but not
38 limited to, education programs for persons convicted of
39 human trafficking offenses and increasing the number of
40 local law enforcement members charged with enforcing human
41 trafficking laws.

42 3. Notwithstanding the provisions of section 33.080 to
43 the contrary, any moneys remaining in the fund at the end of
44 the biennium shall not revert to the credit of the general
45 revenue fund.

46 4. The state treasurer shall invest moneys in the fund
47 in the same manner as other funds are invested. Any
48 interest and moneys earned on such investments shall be
49 credited to the fund.

590.050. 1. (1) The POST commission shall establish
2 requirements for the continuing education of all peace
3 officers.

4 (2) Each peace officer shall be required to receive
5 two hours of sex and human trafficking training consistent
6 with the guidelines established in section 27.170 within the
7 law enforcement continuing education one-year reporting
8 period. The provisions of this subdivision shall become
9 effective on January 1, 2025, and shall expire on December
10 31, 2029.

11 (3) Peace officers who make traffic stops shall be
12 required to receive [three hours] **one hour** of training
13 within the law enforcement continuing education [three-year]
14 **one-year** reporting period concerning the prohibition against
15 racial profiling and such training shall promote
16 understanding and respect for racial and cultural
17 differences and the use of effective, noncombative methods
18 for carrying out law enforcement duties in a racially and
19 culturally diverse environment.

20 2. The director shall license continuing education
21 providers and may probate, suspend and revoke such licenses
22 upon written notice stating the reasons for such action.
23 Any person aggrieved by a decision of the director pursuant
24 to this subsection may appeal as provided in chapter 536.

25 3. The costs of continuing law enforcement education
26 shall be reimbursed in part by moneys from the peace officer
27 standards and training commission fund created in section
28 590.178, subject to availability of funds, except that no
29 such funds shall be used for the training of any person not
30 actively commissioned or employed by a county or municipal
31 law enforcement agency.

32 4. The director may engage in any activity intended to
33 further the professionalism of peace officers through
34 training and education, including the provision of
35 specialized training through the department of public safety.

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