

SENATE BILL NO. 1123

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

4695S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 573.550, RSMo, and to enact in lieu thereof two new sections relating to providing explicit sexual material to a student, with penalty provisions.

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

Section A. Section 573.550, RSMo, is repealed and two new
2 sections enacted in lieu thereof, to be known as sections
3 67.5127 and 573.550, to read as follows:

67.5127. Any library district or school district that
2 **employs a person who has been found guilty of the offense of**
3 **providing explicit sexual material to a student as defined**
4 **in section 573.550 shall no longer be eligible to receive**
5 **any funds raised by the state.**

573.550. 1. A person commits the offense of providing
2 explicit sexual material to a student if such person is
3 affiliated with a public or private elementary or secondary
4 school in an official capacity and, knowing of its content
5 and character, such person provides, assigns, supplies,
6 distributes, loans, **approves**, or coerces acceptance of or
7 the approval of the providing of explicit sexual material to
8 a student or possesses with the purpose of providing,
9 assigning, supplying, distributing, loaning, **approving**, or
10 coercing acceptance of or the approval of the providing of
11 explicit sexual material to a student.

12 2. The offense of providing explicit sexual material
13 to a student is a class A misdemeanor.

14 3. As used in this section, the following terms shall
15 mean:

16 (1) "Explicit sexual material", any pictorial, three-
17 dimensional, or visual depiction, including any photography,
18 film, video, picture, or computer-generated image, showing
19 human masturbation, deviate sexual intercourse as defined in
20 section 566.010, sexual intercourse, direct physical
21 stimulation of genitals, sadomasochistic abuse, or
22 emphasizing the depiction of postpubertal human genitals;
23 provided, however, that works of art, when taken as a whole,
24 that have serious artistic significance, or works of
25 anthropological significance, or materials used in science
26 courses, including but not limited to materials used in
27 biology, anatomy, physiology, and sexual education classes
28 shall not be deemed to be within the foregoing definition;

29 (2) "Person affiliated with a public or private
30 elementary or secondary school in an official capacity", an
31 administrator, teacher, librarian, media center personnel,
32 substitute teacher, teacher's assistant, student teacher,
33 law enforcement officer, school board member, **library board**
34 **member**, school bus driver, guidance counselor, coach, guest
35 lecturer, guest speaker, or other nonschool employee who is
36 invited to present information to students by a teacher,
37 administrator, or other school employee. Such term shall
38 not include a student enrolled in the elementary or
39 secondary school.

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