

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE NO. 2 FOR

SENATE BILL NO. 999

103RD GENERAL ASSEMBLY
2026

5530S.15T

AN ACT

To repeal sections 188.035, 192.990, 455.050, 565.002, 565.050, 565.052, 565.054, 565.056, 565.072, 565.073, 565.074, 565.076, 565.090, 565.091, 565.225, and 565.227, RSMo, and to enact in lieu thereof twenty-two new sections relating to vulnerable persons, with penalty provisions, a nonseverability clause, and an effective date for certain sections.

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

Section A. Sections 188.035, 192.990, 455.050, 565.002, 2 565.050, 565.052, 565.054, 565.056, 565.072, 565.073, 565.074, 3 565.076, 565.090, 565.091, 565.225, and 565.227, RSMo, are 4 repealed and twenty-two new sections enacted in lieu thereof, 5 to be known as sections 27.117, 188.035, 192.990, 455.050, 6 544.667, 565.002, 565.050, 565.052, 565.054, 565.056, 565.072, 7 565.073, 565.074, 565.076, 565.090, 565.091, 565.225, 565.227, 8 565.400, 565.405, 573.570, and 573.575, to read as follows:

27.117. 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 a violation of**
4 **sections 565.090, 565.091, 565.225, 565.227, 565.400,**
5 **565.405, 573.570, or 573.575, where the offense occurred in**
6 **more than one jurisdiction of the state. The prosecuting or**
7 **circuit attorney may request any resource or capability of**
8 **the attorney general when prosecuting such cases.**

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

188.035. [Whoever, with intent to do so, shall take
the life of a child aborted alive, shall be guilty of murder
of the second degree.]

1. This section shall be known and
may be cited as the "Born-Alive Abortion Survivors
Protection Act".

2. A child born alive during or after an abortion or
an attempted abortion shall have all the rights, privileges,
and immunities available to other persons, citizens, and
residents of this state, including any other liveborn child.

3. A health care provider licensed, registered, or
certified in this state who is present in the provider's
professional capacity at the time a child is born alive
during or after an abortion or attempted abortion shall
exercise the same degree of professional skill, care, and
diligence to preserve the life, health, and comfort of the
child as a reasonably diligent and conscientious health care
provider would render to any other child born alive at the
same gestational age.

4. Any person who knowingly performs or attempts to
perform an overt act that kills a child born alive described
under subsection 3 of this section shall be guilty of first
degree murder under section 565.020.

5. A person shall have the right to bring a cause of
action under sections 537.080 to 537.090 or chapter 538 for
any injury arising from a violation of the provisions of
subsection 3 of this section. Any civil remedy contemplated
by this subsection shall not be deemed exclusive of any
other available administrative or criminal action which may
be brought as a result of any violation of the provisions of
this section.

6. As used in this section, the term "born alive"
shall have the same meaning as in 1 U.S.C. Section 8(b).

33 **7. The natural and spontaneous loss of an unborn child**
34 **before fetal viability shall not be construed to be an**
35 **abortion, as such term is defined in section 188.015.**

192.990. 1. There is hereby established within the
2 department of health and senior services the "Pregnancy-
3 Associated Mortality Review Board" to improve data
4 collection and reporting with respect to maternal deaths.
5 The department may collaborate with localities and with
6 other states to meet the goals of the initiative.

7 2. For purposes of this section, the following terms
8 shall mean:

9 (1) "Department", the Missouri department of health
10 and senior services;

11 (2) "Maternal death", the death of a woman while
12 pregnant or during the one-year period following the date of
13 the end of pregnancy, regardless of the cause of death and
14 regardless of whether a delivery, miscarriage, or death
15 occurs inside or outside of a hospital;

16 (3) **"Maternity care deserts", counties in which access**
17 **to maternity care services is limited or absent, either**
18 **through a lack of services or through barriers to a woman's**
19 **ability to access care within a county. A "maternity care**
20 **desert" shall include, but not be limited to, any county**
21 **without a hospital or birth center offering obstetric care**
22 **and without any obstetric clinicians.**

23 3. The board shall be composed of no more than
24 ~~eighteen~~ **twenty-two** members, with a chair elected from
25 among its membership. The board shall meet at least twice
26 per year and shall approve the strategic priorities, funding
27 allocations, work processes, and products of the board.
28 Members of the board shall be appointed by the director of
29 the department. Members shall serve four-year terms, except

30 that the initial terms shall be staggered so that
31 approximately one-third serve three-, four-, and five-year
32 terms.

33 4. The board shall have a multidisciplinary and
34 diverse membership that represents a variety of medical and
35 nursing specialties, including, but not limited to,
36 obstetrics and maternal-fetal care, as well as state or
37 local public health officials, epidemiologists,
38 statisticians, community organizations, geographic regions,
39 and other individuals or organizations that are most
40 affected by maternal deaths and lack of access to maternal
41 health care services. **At least one member from each**
42 **congressional district shall be selected to serve on the**
43 **board and membership shall be demographically diverse and**
44 **shall include representation from both rural and urban**
45 **populations.**

46 5. The duties of the board shall include, but not be
47 limited to:

48 (1) Conducting ongoing comprehensive,
49 multidisciplinary reviews of all maternal deaths;

50 (2) Identifying factors associated with maternal
51 deaths;

52 (3) **Identifying maternity care deserts throughout the**
53 **state;**

54 (4) Reviewing medical records and other relevant data,
55 which shall include, to the extent available:

56 (a) A description of the maternal deaths determined by
57 matching each death record of a maternal death to a birth
58 certificate of an infant or fetal death record, as
59 applicable, and an indication of whether the delivery,
60 miscarriage, or death occurred inside or outside of a
61 hospital;

62 (b) Data collected from medical examiner and coroner
63 reports, as appropriate; [and]

64 (c) **The level and timing of prenatal and postnatal**
65 **medical care; and**

66 (d) Using other appropriate methods or information to
67 identify maternal deaths, including deaths from pregnancy
68 outcomes not identified under paragraph (a) of this
69 subdivision;

70 [(4)] (5) Consulting with relevant experts, as needed;

71 [(5)] (6) Analyzing cases to produce recommendations
72 for reducing maternal mortality;

73 [(6)] (7) Disseminating recommendations to policy
74 makers, health care providers and facilities, and the
75 general public;

76 [(7)] (8) Recommending and promoting preventative
77 strategies and making recommendations for systems changes;

78 [(8)] (9) Protecting the confidentiality of the
79 hospitals and individuals involved in any maternal deaths;

80 [(9)] (10) Examining racial and social disparities in
81 maternal deaths;

82 (11) **Investigating and developing recommendations**
83 **regarding approaches taken in other states or other**
84 **organizations to reduce or eliminate racial inequities in**
85 **maternal deaths, including community-driven strategies,**
86 **health care accessibility, insurance availability, and other**
87 **barriers to access and delivery of prenatal and postpartum**
88 **care;**

89 [(10)] (12) Subject to appropriation, providing for
90 voluntary and confidential case reporting of maternal deaths
91 to the appropriate state health agency by family members of
92 the deceased, and other appropriate individuals, for
93 purposes of review by the board;

94 [(11)] (13) Making publicly available the contact
95 information of the board for use in such reporting;

96 [(12)] (14) Conducting outreach to local professional
97 organizations, community organizations, and social services
98 agencies regarding the availability of the review board;
99 [and]

100 (15) Examining and developing recommendations on the
101 adequacy of data collected under this section and if
102 additional categories of data would be informative in the
103 study of maternal deaths in Missouri; and

104 [(13)] (16) Ensuring that data collected under this
105 section is made available, as appropriate and practicable,
106 for research purposes, in a manner that protects
107 individually identifiable or potentially identifiable
108 information and that is consistent with state and federal
109 privacy laws.

110 6. The board may contract with other entities
111 consistent with the duties of the board.

112 7. (1) Before June 30, 2020, and annually thereafter,
113 the board shall submit to the Director of the Centers for
114 Disease Control and Prevention, the director of the
115 department, the governor, and the general assembly a report
116 on maternal mortality in the state based on data collected
117 through ongoing comprehensive, multidisciplinary reviews of
118 all maternal deaths, and any other projects or efforts
119 funded by the board. The data shall be collected using best
120 practices to reliably determine and include all maternal
121 deaths, regardless of the outcome of the pregnancy and shall
122 include data, findings, and recommendations of the
123 committee, and, as applicable, information on the
124 implementation during such year of any recommendations
125 submitted by the board in a previous year. **Data reported by**

126 the board shall be disaggregated by race, ethnicity,
127 language, nationality, age, zip code, the presence or
128 absence of maternity care deserts, and level and timing of
129 prenatal and postnatal care in a manner that protects
130 individually identifiable or potentially identifiable
131 information and that is consistent with state and federal
132 privacy laws.

133 (2) The report shall be made available to the public
134 on the department's website and the director shall
135 disseminate the report to all health care providers and
136 facilities that provide women's health services in the state.

137 8. The director of the department, or his or her
138 designee, shall provide the board with the copy of the death
139 certificate and any linked birth or fetal death certificate
140 for any maternal death occurring within the state.

141 9. Upon request by the department, health care
142 providers, health care facilities, clinics, laboratories,
143 medical examiners, coroners, law enforcement agencies,
144 driver's license bureaus, other state agencies, and
145 facilities licensed by the department shall provide to the
146 department data related to maternal deaths from sources such
147 as medical records, autopsy reports, medical examiner's
148 reports, coroner's reports, law enforcement reports, motor
149 vehicle records, social services records, and other sources
150 as appropriate. Such data requests shall be limited to
151 maternal deaths which have occurred within the previous
152 twenty-four months. No entity shall be held liable for
153 civil damages or be subject to any criminal or disciplinary
154 action when complying in good faith with a request from the
155 department for information under the provisions of this
156 subsection.

157 10. (1) The board shall protect the privacy and
158 confidentiality of all patients, decedents, providers,
159 hospitals, or any other participants involved in any
160 maternal deaths. In no case shall any individually
161 identifiable health information be provided to the public or
162 submitted to an information clearinghouse.

163 (2) Nothing in this subsection shall prohibit the
164 board or department from publishing statistical compilations
165 and research reports that:

166 (a) Are based on confidential information relating to
167 mortality reviews under this section; and

168 (b) Do not contain identifying information or any
169 other information that could be used to ultimately identify
170 the individuals concerned.

171 (3) Information, records, reports, statements, notes,
172 memoranda, or other data collected under this section shall
173 not be admissible as evidence in any action of any kind in
174 any court or before any other tribunal, board, agency, or
175 person. Such information, records, reports, notes,
176 memoranda, data obtained by the department or any other
177 person, statements, notes, memoranda, or other data shall
178 not be exhibited nor their contents disclosed in any way, in
179 whole or in part, by any officer or representative of the
180 department or any other person. No person participating in
181 such review shall disclose, in any manner, the information
182 so obtained except in strict conformity with such review
183 project. Such information shall not be subject to
184 disclosure under chapter 610.

185 (4) All information, records of interviews, written
186 reports, statements, notes, memoranda, or other data
187 obtained by the department, the board, and other persons,

188 agencies, or organizations so authorized by the department
189 under this section shall be confidential.

190 (5) All proceedings and activities of the board,
191 opinions of members of such board formed as a result of such
192 proceedings and activities, and records obtained, created,
193 or maintained under this section, including records of
194 interviews, written reports, statements, notes, memoranda,
195 or other data obtained by the department or any other
196 person, agency, or organization acting jointly or under
197 contract with the department in connection with the
198 requirements of this section, shall be confidential and
199 shall not be subject to subpoena, discovery, or introduction
200 into evidence in any civil or criminal proceeding; provided,
201 however, that nothing in this section shall be construed to
202 limit or restrict the right to discover or use in any civil
203 or criminal proceeding anything that is available from
204 another source and entirely independent of the board's
205 proceedings.

206 (6) Members of the board shall not be questioned in
207 any civil or criminal proceeding regarding the information
208 presented in or opinions formed as a result of a meeting or
209 communication of the board; provided, however, that nothing
210 in this section shall be construed to prevent a member of
211 the board from testifying to information obtained
212 independently of the board or which is public information.

213 11. The department may use grant program funds to
214 support the efforts of the board and may apply for
215 additional federal government and private foundation grants
216 as needed. The department may also accept private,
217 foundation, city, county, or federal moneys to implement the
218 provisions of this section.

455.050. 1. Any full or ex parte order of protection
2 granted pursuant to sections 455.010 to 455.085 shall be to
3 protect the petitioner from **cyberstalking**, domestic
4 violence, stalking, or sexual assault and may include such
5 terms as the court reasonably deems necessary to ensure the
6 petitioner's safety, including but not limited to:

7 (1) Temporarily enjoining the respondent from
8 committing or threatening to commit **cyberstalking**, domestic
9 violence, molesting, stalking, sexual assault, or disturbing
10 the peace of the petitioner, including violence against a
11 pet;

12 (2) Temporarily enjoining the respondent from entering
13 the premises of the dwelling unit of the petitioner when the
14 dwelling unit is:

15 (a) Jointly owned, leased or rented or jointly
16 occupied by both parties; or

17 (b) Owned, leased, rented or occupied by petitioner
18 individually; or

19 (c) Jointly owned, leased, rented or occupied by
20 petitioner and a person other than respondent; provided,
21 however, no spouse shall be denied relief pursuant to this
22 section by reason of the absence of a property interest in
23 the dwelling unit; or

24 (d) Jointly occupied by the petitioner and a person
25 other than respondent; provided that the respondent has no
26 property interest in the dwelling unit; or

27 (3) Temporarily enjoining the respondent from
28 communicating with the petitioner in any manner or through
29 any medium.

30 2. Mutual orders of protection are prohibited unless
31 both parties have properly filed written petitions and

32 proper service has been made in accordance with sections
33 455.010 to 455.085.

34 3. When the court has, after a hearing for any full
35 order of protection, issued an order of protection, it may,
36 in addition:

37 (1) Award custody of any minor child born to or
38 adopted by the parties when the court has jurisdiction over
39 such child and no prior order regarding custody is pending
40 or has been made, and the best interests of the child
41 require such order be issued;

42 (2) Establish a visitation schedule that is in the
43 best interests of the child;

44 (3) Award child support in accordance with supreme
45 court rule 88.01 and chapter 452;

46 (4) Award maintenance to petitioner when petitioner
47 and respondent are lawfully married in accordance with
48 chapter 452;

49 (5) Order respondent to make or to continue to make
50 rent or mortgage payments on a residence occupied by the
51 petitioner if the respondent is found to have a duty to
52 support the petitioner or other dependent household members;

53 (6) Order the respondent to pay the petitioner's rent
54 at a residence other than the one previously shared by the
55 parties if the respondent is found to have a duty to support
56 the petitioner and the petitioner requests alternative
57 housing;

58 (7) Order that the petitioner be given temporary
59 possession of specified personal property, such as
60 automobiles, checkbooks, keys, and other personal effects;

61 (8) Prohibit the respondent from transferring,
62 encumbering, or otherwise disposing of specified property
63 mutually owned or leased by the parties;

64 (9) Order the respondent to participate in a court-
65 approved counseling program designed to help batterers stop
66 violent behavior or to participate in a substance abuse
67 treatment program;

68 (10) Order the respondent to pay a reasonable fee for
69 housing and other services that have been provided or that
70 are being provided to the petitioner by a shelter for
71 victims of domestic violence;

72 (11) Order the respondent to pay court costs;

73 (12) Order the respondent to pay the cost of medical
74 treatment and services that have been provided or that are
75 being provided to the petitioner as a result of injuries
76 sustained to the petitioner by an act of domestic violence
77 committed by the respondent;

78 (13) Award possession and care of any pet, along with
79 any moneys necessary to cover medical costs that may have
80 resulted from abuse of the pet.

81 4. A verified petition seeking orders for maintenance,
82 support, custody, visitation, payment of rent, payment of
83 monetary compensation, possession of personal property,
84 prohibiting the transfer, encumbrance, or disposal of
85 property, or payment for services of a shelter for victims
86 of domestic violence, shall contain allegations relating to
87 those orders and shall pray for the orders desired.

88 5. In making an award of custody, the court shall
89 consider all relevant factors including the presumption that
90 the best interests of the child will be served by placing
91 the child in the custody and care of the nonabusive parent,
92 unless there is evidence that both parents have engaged in
93 abusive behavior, in which case the court shall not consider
94 this presumption but may appoint a guardian ad litem or a
95 court-appointed special advocate to represent the children

96 in accordance with chapter 452 and shall consider all other
97 factors in accordance with chapter 452.

98 6. The court shall grant to the noncustodial parent
99 rights to visitation with any minor child born to or adopted
100 by the parties, unless the court finds, after hearing, that
101 visitation would endanger the child's physical health,
102 impair the child's emotional development or would otherwise
103 conflict with the best interests of the child, or that no
104 visitation can be arranged which would sufficiently protect
105 the custodial parent from further domestic violence. The
106 court may appoint a guardian ad litem or court-appointed
107 special advocate to represent the minor child in accordance
108 with chapter 452 whenever the custodial parent alleges that
109 visitation with the noncustodial parent will damage the
110 minor child.

111 7. The court shall make an order requiring the
112 noncustodial party to pay an amount reasonable and necessary
113 for the support of any child to whom the party owes a duty
114 of support when no prior order of support is outstanding and
115 after all relevant factors have been considered, in
116 accordance with Missouri supreme court rule 88.01 and
117 chapter 452.

118 8. The court may grant a maintenance order to a party
119 for a period of time, not to exceed one hundred eighty
120 days. Any maintenance ordered by the court shall be in
121 accordance with chapter 452.

122 9. (1) The court may, in order to ensure that a
123 petitioner can maintain an existing wireless telephone
124 number or numbers, issue an order, after notice and an
125 opportunity to be heard, directing a wireless service
126 provider to transfer the billing responsibility for and
127 rights to the wireless telephone number or numbers to the

128 petitioner, if the petitioner is not the wireless service
129 accountholder.

130 (2) (a) The order transferring billing responsibility
131 for and rights to the wireless telephone number or numbers
132 to the petitioner shall list the name and billing telephone
133 number of the accountholder, the name and contact
134 information of the person to whom the telephone number or
135 numbers will be transferred, and each telephone number to be
136 transferred to that person. The court shall ensure that the
137 contact information of the petitioner is not provided to the
138 accountholder in proceedings held under this chapter.

139 (b) Upon issuance, a copy of the full order of
140 protection shall be transmitted, either electronically or by
141 certified mail, to the wireless service provider's
142 registered agent listed with the secretary of state, or
143 electronically to the email address provided by the wireless
144 service provider. Such transmittal shall constitute
145 adequate notice for the wireless service provider acting
146 under this section and section 455.523.

147 (c) If the wireless service provider cannot
148 operationally or technically effectuate the order due to
149 certain circumstances, the wireless service provider shall
150 notify the petitioner within three business days. Such
151 circumstances shall include, but not be limited to, the
152 following:

153 a. The accountholder has already terminated the
154 account;

155 b. The differences in network technology prevent the
156 functionality of a device on the network; or

157 c. There are geographic or other limitations on
158 network or service availability.

159 (3) (a) Upon transfer of billing responsibility for
160 and rights to a wireless telephone number or numbers to the
161 petitioner under this subsection by a wireless service
162 provider, the petitioner shall assume all financial
163 responsibility for the transferred wireless telephone number
164 or numbers, monthly service costs, and costs for any mobile
165 device associated with the wireless telephone number or
166 numbers.

167 (b) This section shall not preclude a wireless service
168 provider from applying any routine and customary
169 requirements for account establishment to the petitioner as
170 part of this transfer of billing responsibility for a
171 wireless telephone number or numbers and any devices
172 attached to that number or numbers including, but not
173 limited to, identification, financial information, and
174 customer preferences.

175 (4) This section shall not affect the ability of the
176 court to apportion the assets and debts of the parties as
177 provided for in law, or the ability to determine the
178 temporary use, possession, and control of personal property.

179 (5) No cause of action shall lie against any wireless
180 service provider, its officers, employees, or agents, for
181 actions taken in accordance with the terms of a court order
182 issued under this section.

183 (6) As used in this section and section 455.523, a
184 "wireless service provider" means a provider of commercial
185 mobile service under Section 332(d) of the Federal
186 [Telecommunications Act of 1996] **Communications Act of 1934**
187 (47 U.S.C. Section [151, et seq.] **332**).

544.667. In addition to the forfeiture of any security
2 **which was given or pledged for a person's release, any**
3 **person who, having been released upon a recognizance or bond**

4 pursuant to any other provisions of law while pending
5 preliminary hearing, trial, sentencing, appeal, probation or
6 parole revocation, or any other stage of a criminal matter
7 against him or her, knowingly violates any condition of
8 release that imposes no contact with specific individuals
9 shall be guilty of a class A misdemeanor.

565.002. As used in this chapter, unless a different
2 meaning is otherwise plainly required the following terms
3 mean:

4 (1) "Adequate cause", cause that would reasonably
5 produce a degree of passion in a person of ordinary
6 temperament sufficient to substantially impair an ordinary
7 person's capacity for self-control;

8 (2) **"Bodily harm", physical pain or injury, illness,
9 or any impairment of physical condition;**

10 (3) "Child", a person under [seventeen] **eighteen** years
11 of age;

12 [(3)] (4) "Conduct", includes any act or omission;

13 [(4)] (5) "Course of conduct", a pattern of conduct
14 composed of two or more acts, which may include
15 communication by any means, over a period of time, however
16 short, evidencing a continuity of purpose. Constitutionally
17 protected activity is not included within the meaning of
18 course of conduct. Such constitutionally protected activity
19 includes picketing or other organized protests;

20 [(5)] (6) "Deliberation", cool reflection for any
21 length of time no matter how brief;

22 [(6)] (7) "Domestic victim", a household or family
23 member as the term "family" or "household member" is defined
24 in section 455.010, including any child who is a member of
25 the household or family;

26 [(7)] (8) "Emotional distress", something markedly
27 greater than the level of uneasiness, nervousness,
28 unhappiness, or the like which are commonly experienced in
29 day-to-day living;

30 [(8)] (9) "Full or partial nudity", the showing of all
31 or any part of the human genitals, pubic area, buttock, or
32 any part of the nipple of the breast of any female person,
33 with less than a fully opaque covering;

34 (10) **"Great bodily harm", bodily injury which creates**
35 **a high probability of death, or which causes serious**
36 **permanent or protracted loss or impairment of function of**
37 **any bodily member or organ, or other serious bodily harm;**

38 [(9)] (11) "Legal custody", the right to the care,
39 custody and control of a child;

40 [(10)] (12) "Parent", either a biological parent or a
41 parent by adoption;

42 [(11)] (13) "Person having a right of custody", a
43 parent or legal guardian of the child;

44 [(12)] (14) "Photographs" or "films", the making of
45 any photograph, motion picture film, videotape, or any other
46 recording or transmission of the image of a person;

47 [(13)] (15) "Place where a person would have a
48 reasonable expectation of privacy", any place where a
49 reasonable person would believe that a person could disrobe
50 in privacy, without being concerned that the person's
51 undressing was being viewed, photographed or filmed by
52 another;

53 [(14)] (16) "Special victim", any of the following:

54 (a) A law enforcement officer assaulted in the
55 performance of his or her official duties or as a direct
56 result of such official duties;

57 (b) Emergency personnel, any paid or volunteer
58 firefighter, emergency room, hospital, or trauma center
59 personnel, or emergency medical technician, assaulted in the
60 performance of his or her official duties or as a direct
61 result of such official duties;

62 (c) A probation and parole officer assaulted in the
63 performance of his or her official duties or as a direct
64 result of such official duties;

65 (d) An elderly person;

66 (e) A person with a disability;

67 (f) A vulnerable person;

68 (g) Any jailer or corrections officer of the state or
69 one of its political subdivisions assaulted in the
70 performance of his or her official duties or as a direct
71 result of such official duties;

72 (h) A highway worker in a construction or work zone as
73 the terms "highway worker", "construction zone", and "work
74 zone" are defined under section 304.580;

75 (i) Any utility worker, meaning any employee of a
76 utility that provides gas, heat, electricity, water, steam,
77 telecommunications services, or sewer services, whether
78 privately, municipally, or cooperatively owned, while in the
79 performance of his or her job duties, including any person
80 employed under a contract;

81 (j) Any cable worker, meaning any employee of a cable
82 operator, as such term is defined in section 67.2677,
83 including any person employed under contract, while in the
84 performance of his or her job duties; and

85 (k) Any employee of a mass transit system, including
86 any employee of public bus or light rail companies, while in
87 the performance of his or her job duties;

88 (17) "Substantial bodily harm", bodily injury which
89 involves a temporary but substantial disfigurement, or which
90 causes temporary but substantial loss or impairment of the
91 function of any bodily member or organ, or which causes a
92 fracture of any bodily member;

93 [(15)] (18) "Sudden passion", passion directly caused
94 by and arising out of provocation by the victim or another
95 acting with the victim which passion arises at the time of
96 the offense and is not solely the result of former
97 provocation;

98 (19) "Technological abuse conduct", an act or pattern
99 of behavior that is intended to harm, threaten, intimidate,
100 control, stalk, harass, monitor, except as otherwise
101 permitted by law, another person, that occurs using any form
102 of technology, including internet enabled devices, online
103 platforms, computers, mobile devices, cameras and imaging
104 programs, apps, location tracking devices, or any other
105 emerging technologies;

106 [(16)] (20) "Trier", the judge or jurors to whom
107 issues of fact, guilt or innocence, or the assessment and
108 declaration of punishment are submitted for decision;

109 [(17)] (21) "Views", the looking upon of another
110 person, with the unaided eye or with any device designed or
111 intended to improve visual acuity, for the purpose of
112 arousing or gratifying the sexual desire of any person.

565.050. 1. A person commits the offense of assault
2 in the first degree if he or she attempts to kill or
3 knowingly causes or attempts to cause [serious physical
4 injury] **great bodily harm** to another person.

5 2. The offense of assault in the first degree is a
6 class B felony unless in the course thereof the person
7 inflicts [serious physical injury] **great bodily harm** on the

8 victim, or if the victim of such assault is a special
9 victim, as the term "special victim" is defined under
10 section 565.002, in which case it is a class A felony.

565.052. 1. A person commits the offense of assault
2 in the second degree if he or she:

3 (1) Attempts to kill or knowingly causes or attempts
4 to cause [serious physical injury] **great bodily harm** to
5 another person under the influence of sudden passion arising
6 out of adequate cause; or

7 (2) Attempts to cause or knowingly causes [physical
8 injury] **bodily harm** to another person by means of a deadly
9 weapon or dangerous instrument; or

10 (3) Recklessly causes [serious physical injury] **great**
11 **bodily harm** to another person; or

12 (4) Recklessly causes [physical injury] **bodily harm** to
13 another person by means of discharge of a firearm.

14 2. The defendant shall have the burden of injecting
15 the issue of influence of sudden passion arising from
16 adequate cause under subdivision (1) of subsection 1 of this
17 section.

18 3. The offense of assault in the second degree is a
19 class D felony, unless the victim of such assault is a
20 special victim, as the term "special victim" is defined
21 under section 565.002, in which case it is a class B felony.

565.054. 1. A person commits the offense of assault
2 in the third degree if he or she knowingly causes [physical
3 injury] **bodily harm** to another person.

4 2. The offense of assault in the third degree is a
5 class E felony, unless the victim of such assault is a
6 special victim, as the term "special victim" is defined
7 under section 565.002, in which case it is a class D felony.

565.056. 1. A person commits the offense of assault
in the fourth degree if:

(1) The person attempts to cause or recklessly causes
[physical injury, physical pain, or illness] **bodily harm** to
another person;

(2) With criminal negligence the person causes
[physical injury] **bodily harm** to another person by means of
a firearm;

(3) The person purposely places another person in
apprehension of immediate [physical injury] **bodily harm**;

(4) The person recklessly engages in conduct which
creates a substantial risk of death or [serious physical
injury] **great bodily harm** to another person;

(5) The person knowingly causes or attempts to cause
physical contact with a person with a disability, which a
reasonable person, who does not have a disability, would
consider offensive or provocative; or

(6) The person knowingly causes physical contact with
another person knowing the other person will regard the
contact as offensive or provocative.

2. Except as provided in subsection 3 of this section,
assault in the fourth degree is a class A misdemeanor.

3. Violation of the provisions of subdivision (3) or
(6) of subsection 1 of this section is a class C misdemeanor
unless the victim is a special victim, as the term "special
victim" is defined under section 565.002, in which case a
violation of such provisions is a class A misdemeanor.

565.072. 1. A person commits the offense of domestic
assault in the first degree if he or she attempts to kill or
knowingly causes or attempts to cause [serious physical
injury] **great bodily harm** to a domestic victim, as the term
"domestic victim" is defined under section 565.002.

6 2. The offense of domestic assault in the first degree
7 is a class B felony unless in the course thereof the person
8 inflicts serious physical injury on the victim, in which
9 case it is a class A felony.

 565.073. 1. A person commits the offense of domestic
2 assault in the second degree if the act involves a domestic
3 victim, as the term "domestic victim" is defined under
4 section 565.002, and he or she:

5 (1) Knowingly causes [physical injury] **bodily harm** to
6 such domestic victim by any means, including but not limited
7 to, use of a deadly weapon or dangerous instrument, or by
8 choking or strangulation; or

9 (2) Recklessly causes [serious physical injury] **great**
10 **bodily harm** to such domestic victim; or

11 (3) Recklessly causes [physical injury] **bodily harm** to
12 such domestic victim by means of any deadly weapon.

13 2. The offense of domestic assault in the second
14 degree is a class D felony.

 565.074. 1. A person commits the offense of domestic
2 assault in the third degree if he or she attempts to cause
3 [physical injury] **substantial bodily harm** or knowingly
4 causes [physical pain or illness] **bodily harm** to a domestic
5 victim, as the term "domestic victim" is defined under
6 section 565.002.

7 2. The offense of domestic assault in the third degree
8 is a class E felony.

 565.076. 1. A person commits the offense of domestic
2 assault in the fourth degree if the act involves a domestic
3 victim, as the term "domestic victim" is defined under
4 section 565.002, and:

5 (1) The person attempts to cause or recklessly causes
6 [physical injury, physical pain, or illness] **bodily harm** to
7 such domestic victim;

8 (2) With criminal negligence the person causes
9 [physical injury] **bodily harm** to such domestic victim by
10 means of a deadly weapon or dangerous instrument;

11 (3) The person purposely places such domestic victim
12 in apprehension of immediate [physical injury] **bodily harm**
13 by any means;

14 (4) The person recklessly engages in conduct which
15 creates a substantial risk of death or [serious physical
16 injury] **great bodily harm** to such domestic victim;

17 (5) The person knowingly causes physical contact with
18 such domestic victim knowing he or she will regard the
19 contact as offensive; or

20 (6) The person knowingly attempts to cause or causes
21 the isolation of such domestic victim by unreasonably and
22 substantially restricting or limiting his or her access to
23 other persons, telecommunication devices or transportation
24 for the purpose of isolation.

25 2. The offense of domestic assault in the fourth
26 degree is a class A misdemeanor, unless the person has
27 previously been found guilty of the offense of domestic
28 assault, of any assault offense under this chapter, or of
29 any offense against a domestic victim committed in violation
30 of any county or municipal ordinance in any state, any state
31 law, any federal law, or any military law which if committed
32 in this state two or more times would be a violation of this
33 section, in which case it is a class E felony. The offenses
34 described in this subsection may be against the same
35 domestic victim or against different domestic victims.

565.090. 1. A person commits the offense of
2 harassment in the first degree if he or she, without good
3 cause, engages in any act with the purpose to cause
4 emotional distress to another person, and such act does
5 cause such person to suffer emotional distress.

6 2. The offense of harassment in the first degree is a
7 class E felony, **unless the defendant has previously been**
8 **found guilty of a violation of this section or section**
9 **565.091, or any offense committed in another jurisdiction**
10 **which, if committed in this state, would be chargeable or**
11 **indictable as a violation of any offense listed in this**
12 **section or section 565.091, in which case harassment in the**
13 **first degree is a class D felony.**

14 3. This section shall not apply to activities of
15 federal, state, county, or municipal law enforcement
16 officers conducting investigations of violation of federal,
17 state, county, or municipal law.

565.091. 1. A person commits the offense of
2 harassment in the second degree if he or she, without good
3 cause, engages in any act with the purpose to cause
4 emotional distress to another person.

5 2. The offense of harassment in the second degree is a
6 class A misdemeanor, unless the [person has previously
7 pleaded guilty to or been found guilty of a violation of
8 this section, of any offense committed in violation of any
9 county or municipal ordinance in any state, any state law,
10 any federal law, or any military law which if committed in
11 this state would be chargeable or indictable as a violation
12 of any offense listed in this subsection, in which case it
13 is a class E felony] **defendant has previously been found**
14 **guilty of a violation of this section or section 565.090, or**
15 **of any offense committed in another jurisdiction which, if**

16 committed in this state, would be chargeable or indictable
17 as a violation of any offense listed in this section or
18 section 565.090, in which case harassment in the second
19 degree is a class E felony.

20 3. This section shall not apply to activities of
21 federal, state, county, or municipal law enforcement
22 officers conducting investigations of violations of federal,
23 state, county, or municipal law.

565.225. 1. [As used in this section and section
2 565.227, the term "disturbs" shall mean to engage in a
3 course of conduct directed at a specific person that serves
4 no legitimate purpose and that would cause a reasonable
5 person under the circumstances to be frightened,
6 intimidated, or emotionally distressed.

7 2.] A person commits the offense of stalking in the
8 first degree if he or she [purposely] knowingly, through
9 [his or her] a course of conduct[, disturbs or follows with
10 the intent of disturbing] that is directed at another person
11 [and] or through technological abuse conduct, engages in
12 conduct that would cause a reasonable person under similar
13 circumstances to:

14 (1) [Makes a threat communicated with the intent to
15 cause the person who is the target of the threat to
16 reasonably] Fear [for his or her safety, the safety of his
17 or her family or household member, or the safety of domestic
18 animals or livestock as defined in section 276.606 kept at
19 such person's residence or on such person's property. The
20 threat shall be against the life of, or a threat to cause
21 physical] death or bodily injury to[, or the kidnapping of]
22 the person[,];

23 (2) Fear that an offense will be committed against a
24 member of the person's family or household members, or [the

25 person's domestic animals or livestock as defined in section
26 276.606 kept at such person's residence or on such person's
27 property] **an individual with whom the person has a dating**
28 **relationship; [or**

29 (2) At least one of the acts constituting the course
30 of conduct is in violation of an order of protection and the
31 person has received actual notice of such order; or]

32 (3) [At least one of the actions constituting the
33 course of conduct is in violation of a condition of
34 probation, parole, pretrial release, or release on bond
35 pending appeal] **Fear that an offense will be committed**
36 **against the person's property; or**

37 (4) [At any time during the course of conduct, the
38 other person is seventeen years of age or younger and the
39 person disturbing the other person is twenty-one years of
40 age or older; or

41 (5) He or she has previously been found guilty of
42 domestic assault, violation of an order of protection, or
43 any other crime where the other person was the victim; or

44 (6) At any time during the course of conduct, the
45 other person is a participant of the address confidentiality
46 program under sections 589.660 to 589.681, and the person
47 disturbing the other person knowingly accesses or attempts
48 to access the address of the other person] **Feel harassed,**
49 **terrified, or intimidated.**

50 [3.] 2. Any law enforcement officer may arrest,
51 without a warrant, any person he or she has probable cause
52 to believe has violated the provisions of this section.

53 [4.] 3. This section shall not apply to activities of
54 federal, state, county, or municipal law enforcement
55 officers conducting investigations of any violation of
56 federal, state, county, or municipal law.

57 [5.] 4. The offense of stalking in the first degree is
58 a class E felony, unless the defendant has previously been
59 found guilty of a violation of this section or section
60 565.227, or any offense committed in another jurisdiction
61 which, if committed in this state, would be chargeable or
62 indictable as a violation of any offense listed in this
63 section or section 565.227, or unless the victim is
64 intentionally targeted as a law enforcement officer, as
65 defined in section 556.061, or the victim is targeted
66 because he or she is a relative within the second degree of
67 consanguinity or affinity to a law enforcement officer, in
68 which case stalking in the first degree is a class D felony.

565.227. 1. A person commits the offense of stalking
2 in the second degree if he or she [purposely, through his or
3 her course of] **knowingly engages in a course of** conduct[,
4 disturbs, or follows with the intent to disturb another
5 person] **directed at a specific person or technological abuse**
6 **conduct which would cause a reasonable person under the**
7 **circumstances to feel harassed, terrified, or intimidated.**

8 2. This section shall not apply to activities of
9 federal, state, county, or municipal law enforcement
10 officers conducting investigations of any violation of
11 federal, state, county, or municipal law.

12 3. Any law enforcement officer may arrest, without a
13 warrant, any person he or she has probable cause to believe
14 has violated the provisions of this section.

15 4. The offense of stalking in the second degree is a
16 class A misdemeanor, unless the defendant has previously
17 been found guilty of a violation of this section or section
18 565.225, or of any offense committed in another jurisdiction
19 which, if committed in this state, would be chargeable or
20 indictable as a violation of any offense listed in this

21 section or section 565.225, or unless the victim is
22 intentionally targeted as a law enforcement officer, as
23 defined in section 556.061, or the victim is targeted
24 because he or she is a relative within the second degree of
25 consanguinity or affinity to a law enforcement officer, in
26 which case stalking in the second degree is a class E felony.

565.400. 1. A person commits the offense of
2 cyberharassment if such person purposely or knowingly
3 engages in a threatening, aggressive, or otherwise fear-
4 inducing, course of conduct by using digital technology,
5 internet service providers, electronic service providers, or
6 other electronic communications and devices to cause
7 reasonable fear, alarm, anxiety, undue stress, or terror to
8 others by repeated contact with no legitimate purpose.

9 2. The first offense of cyberharassment shall be a
10 class B misdemeanor. A second and any subsequent offense
11 shall be a class A misdemeanor.

565.405. 1. A person commits the offense of
2 cyberstalking if such person purposely or knowingly engages
3 in a threatening, aggressive, or otherwise fear-inducing,
4 course of conduct by using digital technology, internet
5 service providers, electronic service providers, or other
6 electronic communications and devices to enhance the ability
7 to intimidate, track, follow or cause reasonable fear,
8 alarm, anxiety, undue stress, or terror to another person.

9 2. The first offense of cyberstalking shall be a class
10 A misdemeanor. A second and any subsequent offense shall be
11 a class E felony.

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

3 (1) "Depicted individual", an individual who, as a
4 result of digitization or by means of digital manipulation,

5 appears in whole or in part in an intimate digital depiction
6 and who is identifiable by virtue of the individual's face,
7 likeness, or other distinguishing characteristic, such as a
8 unique birthmark or other recognizable feature, or from
9 information displayed in connection with the digital
10 depiction;

11 (2) "Digital depiction", a realistic visual depiction
12 of an individual that has been created or altered using
13 digital manipulation;

14 (3) "Information content providers", any person or
15 entity that is responsible, in whole or in part, for the
16 creation or development of information provided through the
17 internet or any other interactive computer service;

18 (4) "Intimate digital depiction", a digital depiction
19 of an individual that has been created or altered using
20 digital manipulation and that depicts:

21 (a) The uncovered genitals, pubic area, anus, or
22 postpubescent female nipple of an identifiable individual;

23 (b) The display or transfer of bodily sexual fluids:

24 a. Onto any part of the body of an identifiable
25 individual; or

26 b. From the body of an identifiable individual; or

27 (c) An identifiable individual engaging in sexually
28 explicit conduct;

29 (5) "Sexually explicit conduct", actual or simulated:

30 (a) Sexual intercourse, including genital-genital,
31 oral-genital, anal-genital, or oral-anal, whether between
32 persons of the same or opposite sex;

33 (b) Bestiality;

34 (c) Masturbation;

35 (d) Sadistic or masochistic abuse; or

36 (e) Lascivious exhibition of the genitals or pubic
37 area of any person.

38 2. A person commits the offense of disclosure of an
39 intimate digital depiction if the person:

40 (1) Discloses an intimate digital depiction:

41 (a) With the intent to harass, annoy, threaten, alarm,
42 or cause substantial harm to the finances or reputation of
43 the depicted individual; or

44 (b) With the actual knowledge that, or reckless
45 disregard for whether, such disclosure will cause physical,
46 emotional, reputational, or economic harm to the depicted
47 individual; or

48 (2) Threatens to disclose an intimate digital
49 depiction:

50 (a) With the intent to harass, annoy, threaten, alarm,
51 or cause substantial harm to the finances or reputation of
52 the depicted individual; or

53 (b) With the actual knowledge that, or reckless
54 disregard for whether, such threatened disclosure will cause
55 physical, emotional, reputational, or economic harm to the
56 depicted individual.

57 3. (1) A violation of subdivision (1) of subsection 2
58 of this section shall be a class D felony.

59 (2) A violation of subdivision (2) of subsection 2 of
60 this section shall be a class E felony.

61 (3) A violation of subsection 2 of this section shall
62 be a class C felony if:

63 (a) The violation is a second or other subsequent
64 violation of subsection 2 of this section; or

65 (b) The violation is such that the digital depiction
66 could be reasonably expected to:

67 a. Affect the conduct of any administrative,
68 legislative, or judicial proceeding of a federal, state,
69 local, or tribal government agency, including the
70 administration of an election or the conduct of foreign
71 relations; or

72 b. Facilitate violence.

73 4. It shall not be a defense to an offense of
74 disclosure of an intimate digital depiction under this
75 section that there is a disclaimer stating that the intimate
76 digital depiction of the depicted individual was
77 unauthorized or that the depicted individual did not
78 participate in the creation or development of the digital
79 depiction.

80 5. For the purposes of this section, a provider of an
81 interactive computer service shall not be held to have
82 committed the offense of disclosure of an intimate digital
83 depiction due to:

84 (1) Any action voluntarily taken in good faith to
85 restrict access to or availability of intimate digital
86 depictions; or

87 (2) Any action taken to enable or make available to
88 information content providers or other persons the technical
89 means to restrict access to intimate digital depictions.

573.575. 1. A person commits the offense of sadistic
2 online exploitation if he or she:

3 (1) Uses the internet to manipulate, intimidate, hurt,
4 scare, control, or threaten a victim to undergo suffering
5 through forcing their submission, use of violence, self-
6 harm, or destruction for sadistic or sinister purposes;

7 (2) Coerces a victim into performing self-harm, animal
8 harm, harming another person, sharing personal information,
9 or suicidal actions or ideations;

10 (3) Uses nonphysical forms of coercion, manipulation,
11 shame or fear to extort another person into providing
12 sexually explicit content then using such content to further
13 extort, threaten, or control the victim; or

14 (4) Uses intimate depictions as devices to threaten or
15 coerce a victim by demanding any kind of financial gain.

16 2. The offense of sadistic online exploitation shall
17 be a class E felony.

 Section B. Notwithstanding the provisions of section
2 1.140 to the contrary, the provisions of section A of this
3 act shall be nonseverable, and if any provision is for any
4 reason held to be invalid, such decision shall invalidate
5 all of the remaining provisions of section A of this act.

 Section C. The repeal and reenactment of sections
2 565.002, 565.050, 565.052, 565.054, 565.056, 565.072,
3 565.073, 565.074, 565.076, 565.090, 565.091, 565.225, and
4 565.227 and the enactment of sections 27.117, 565.400, and
5 565.405 of this act shall become effective on July 1, 2027.

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