

SECOND REGULAR SESSION

SENATE BILL NO. 958

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS YECKEL, SIMS AND BENTLEY.

Read 1st time February 25, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3973.011

AN ACT

To repeal sections 566.030 and 566.060, RSMo 1994, relating to crimes and punishment, and to enact in lieu thereof two new sections relating to the same subject.

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

Section A. Sections 566.030 and 566.060, RSMo 1994, are repealed and two new sections enacted in lieu thereof, to be known as sections 566.030 and 566.060, to read as follows:

566.030. 1. A person commits the crime of forcible rape if he has sexual intercourse with another person by the use of forcible compulsion. **Forcible compulsion includes the use of drugs without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual activities.**

2. Forcible rape or an attempt to commit forcible rape is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years.

566.060. 1. A person commits the crime of forcible sodomy if he has deviate sexual intercourse with another person by the use of forcible compulsion. **Forcible compulsion includes the use of drugs without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual activities.**

2. Forcible sodomy or an attempt to commit forcible sodomy is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years,

unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years.

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