

FIRST REGULAR SESSION

HOUSE BILL NO. 229

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WRIGHT, PORTWOOD, DIXON, CUNNINGHAM (86), PHILLIPS, BRUNS, SHOEMAKER (8), DAVIS (19) (Co-sponsors), TAYLOR, ST. ONGE, COOPER (120), BEAN, WASSON, STEFANICK, PRATT, WILSON (130), WALLACE, LIPKE (157), BROWN, CRAWFORD, NIEVES, EMERY, FARES, PEARCE, GUEST, THOMPSON, ENGLER, MOORE, DEEKEN, QUINN, LUETKEMEYER, CROWELL AND HANAWAY.

Read 1st time January 21, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1132L.011

AN ACT

To repeal sections 566.030 and 566.060, RSMo, and to enact in lieu thereof two new sections relating to sexual offenses, with penalty provisions.

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

Section A. Sections 566.030 and 566.060, RSMo, are repealed and two new sections
2 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 such person has sexual
2 intercourse with another person by the use of forcible compulsion. Forcible compulsion includes
3 the use of a substance administered without a victim's knowledge or consent which renders the
4 victim physically or mentally impaired so as to be incapable of making an informed consent to
5 sexual intercourse.

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

566.060. 1. A person commits the crime of forcible sodomy if such person has deviate
2 sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is new proposed language.

3 includes the use of a substance administered without a victim's knowledge or consent which
4 renders the victim physically or mentally impaired so as to be incapable of making an informed
5 consent to sexual intercourse.

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