

SECOND REGULAR SESSION

# HOUSE BILL NO. 1637

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES JOHNSON (90) (Sponsor), HARRIS (23), SHOEMYER, SELBY,  
HAMPTON, DARROUGH, ZWEIFEL, CORCORAN, HAYWOOD, BISHOP,  
JOLLY AND MEADOWS (Co-sponsors).

Read 1<sup>st</sup> time March 8, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3667L.011

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### AN ACT

To repeal sections 566.093 and 566.095, RSMo, and to enact in lieu thereof two new sections relating to sexual misconduct, with penalty provisions.

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

Section A. Sections 566.093 and 566.095, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 566.093 and 566.095, to read as follows:

566.093. 1. A person commits the crime of sexual misconduct in the second degree if  
2 **he or she**:

3 (1) Exposes his **or her** genitals under circumstances in which he **or she** knows that [his]  
4 **such** conduct is likely to cause affront or alarm; or

5 (2) Has sexual contact in the presence of a third person or persons under circumstances  
6 in which he **or she** knows that such conduct is likely to cause affront or alarm **or while being**  
7 **in a public place in the presence of another person or persons.**

8 2. Sexual misconduct in the second degree is a class B misdemeanor unless the actor has  
9 previously been convicted of an offense under this chapter, in which case it is a class A  
10 misdemeanor.

566.095. 1. A person commits the crime of sexual misconduct in the third degree if he

**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 proposed language.**

2 **or she** solicits or requests another person to engage in sexual conduct under circumstances in  
3 which he **or she** knows that [his] **such** requests or solicitation is likely to cause affront or alarm  
4 **or while being in a public place in the presence of another person or persons.**

5           2. Sexual misconduct in the third degree is a class C misdemeanor.