

SECOND REGULAR SESSION

# HOUSE BILL NO. 1609

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PRATT.

Read 1st time February 1, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4508L.01I

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### AN ACT

To amend chapter 595, RSMo, by adding thereto one new section relating to redistributing profits from crime.

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

Section A. Chapter 595, RSMo, is amended by adding thereto one new section, to be  
2 known as section 595.250, to read as follows:

**595.250. 1. Any individual, partnership, corporation, or association which**  
2 **contracts with any person accused or convicted of the commission of a crime in this state,**  
3 **or with a representative or assignee of such a person, to use the crime committed or alleged**  
4 **to have been committed by such person or the expression of such person's thoughts,**  
5 **feelings, opinions, or emotions regarding the crime in any book, magazine, or other**  
6 **publication or in any movie, radio, television presentation or live entertainment shall pay**  
7 **to the crime victims compensation fund all moneys which would otherwise by the terms of**  
8 **the contract be owed to the person who committed or is alleged to have committed the**  
9 **crime, or such person's representatives or assignees, provided, such book, magazine, or**  
10 **other publication, movie, radio, or television presentation or live entertainment of any kind**  
11 **deals principally with the crime for which the person is accused and convicted. If any**  
12 **person is accused and convicted of the commission of two or more crimes, the crimes shall,**  
13 **for purposes of determining whether such publication, presentation, or entertainment deals**  
14 **principally with the crime for which the person is accused and convicted, be combined and**  
15 **considered as one crime.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16           **2. Upon receipt of such funds the division of workers' compensation immediately**  
17 **shall notify any person who is eligible to receive compensation under section 595.020, of**  
18 **such receipt. Within six months of such notification, such person may file a claim with the**  
19 **division for disbursement of such monies. If proper application is made and the person**  
20 **can provide the division evidence of a money judgment within two years of such**  
21 **notification of the victim by the board, and such judgment is against the person accused**  
22 **or convicted of committing such crime, the division shall pay such amount, plus accrued**  
23 **interest at the rate imposed on civil money judgments, to the victim. Such amount shall not**  
24 **exceed the lesser of the amount of the judgment or the amount of the funds received by the**  
25 **division under this section.**

26           **3. The division shall hold any money collected under this section in separate**  
27 **interest-bearing accounts until such time as the money is paid to an eligible person or until**  
28 **the two-year time limit has expired. At the end of the two-year time period any money**  
29 **remaining in the separate accounts shall be paid into the regular crime victims**  
30 **compensation fund account for distribution as provided in chapter 595.**

31           **4. In the event at the time of the notification provided in subsection 2 of this section,**  
32 **the applicable civil statute of limitations on filing a civil action against such person accused**  
33 **or convicted of the crime shall have run, the victim shall have six months from such**  
34 **notification to file a notice of claim as provided in subsection 2 of this section and a civil**  
35 **action against the person accused or convicted of the crime.**

36           **5. For purposes of this section and a civil action for money damages filed**  
37 **hereunder, any limitations imposed on money damages under any other Missouri statute,**  
38 **shall not apply.**

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