

SECOND REGULAR SESSION

# HOUSE BILL NO. 1769

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BAKER (123).

Read 1st time February 15, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5164L.01I

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### AN ACT

To repeal section 566.147, RSMo, and to enact in lieu thereof one new section relating to residency requirements for certain sexual offenders, with penalty provisions.

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

Section A. Section 566.147, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.147, to read as follows:

566.147. 1. Any person who has pleaded guilty or nolo contendere to, or been convicted of, or been found guilty of violating any of the provisions of this chapter or the provisions of section 565.253, RSMo, invasion of privacy; subsection 2 of section 568.020, RSMo, incest; section 568.045, RSMo, endangering the welfare of a child in the first degree; subsection 2 of section 568.080, RSMo, use of a child in a sexual performance; section 568.090, RSMo, promoting a sexual performance by a child; section 573.023, RSMo, sexual exploitation of a minor; section 573.025, RSMo, promoting child pornography in the first degree; section 573.035, RSMo, promoting child pornography in the second degree; section 573.037, RSMo, possession of child pornography, or section 573.040, RSMo, furnishing pornographic material to minors; shall not establish residency within one [thousand feet] **mile** of any public school as defined in section 160.011, RSMo, or any private school giving instruction in a grade or grades not higher than the twelfth grade, or child-care facility as defined in section 210.201, RSMo, which is in existence at the time such residency is established.

2. If such person has already established a residence and a public school, a private school, or child-care facility is subsequently built or placed within one [thousand feet] **mile** of

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 such person's residence, then such person shall, within one week of the opening of such public  
17 school, private school, or child-care facility, notify the county sheriff where such public school,  
18 private school, or child-care facility is located that he or she is now residing within one [thousand  
19 feet] **mile** of such public school, private school, or child-care facility and shall provide verifiable  
20 proof to the sheriff that he or she resided there prior to the opening of such public school, private  
21 school, or child-care facility.

22 3. Violation of the provisions of subsection 1 of this section is a class D felony except  
23 that the second or any subsequent violation is a class B felony. Violation of the provisions of  
24 subsection 2 of this section is a class A misdemeanor except that the second or subsequent  
25 violation is a class D felony.

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