

SECOND REGULAR SESSION

HOUSE BILL NO. 1631

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES POLLOCK (Sponsor), ALLEN, GRISAMORE, FISHER (125),
EMERY, BROWN (149) AND WELLS (Co-sponsors).

3426L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 566.023, RSMo, and to enact in lieu thereof two new sections relating to sexual contact with a patient, with a penalty provision.

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

Section A. Section 566.023, RSMo, is repealed and two new sections enacted in lieu
2 thereof, to be known as sections 566.023 and 566.125, to read as follows:

566.023. It shall be an affirmative defense to prosecutions pursuant to sections 566.032,
2 566.034, 566.062, 566.064, 566.068, [and] 566.090, **and 566.125** that the defendant was married
3 to the victim at the time of the offense.

**566.125. 1. A person commits the crime of sexual contact with a patient if such
2 person is an employee of or assigned to work in any health care or long-term care facility
3 and such person has sexual intercourse or deviate sexual intercourse with a patient in a
4 health care or long-term care facility.**

5 **2. Sexual contact with a patient is a class D felony.**

6 **3. Consent of a patient is not an affirmative defense.**

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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.