

FIRST REGULAR SESSION

# HOUSE BILL NO. 433

## 96TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVES KANDER (Sponsor), ZIMMERMAN, SHIVELY, LAMPE, STILL, QUINN, AULL, ANDERS, HARRIS, CARLSON, SMITH (71), HUMMEL, BLACK, TAYLOR, PACE, KIRKTON, SCHUPP AND WEBBER (Co-sponsors).

0927L.03I

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

To repeal sections 566.206, 566.209, and 566.212, RSMo, and to enact in lieu thereof three new sections relating to human trafficking, with penalty provisions.

---

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

Section A. Sections 566.206, 566.209, and 566.212, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 566.206, 566.209, and 566.212, to read as follows:

566.206. 1. A person commits the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor if a person knowingly recruits, harbors, transports, provides, or obtains by any means another person for labor or services, for the purposes of slavery, involuntary servitude, peonage, or forced labor.

2. A person who pleads guilty to or is found guilty of the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, unless such person is otherwise required to register pursuant to the provisions of such section.

3. [The crime of] **Except as provided in subsection 4 of this section**, trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor is a [class B] felony **punishable by a fine, not to exceed two hundred fifty thousand dollars, or imprisonment for a term of years not less than five years and not more than twenty years, or both a fine and imprisonment.**

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.

14           **4. If death results from a violation of this section, or if the violation includes**  
15 **kidnapping or an attempt to kidnap, sexual abuse when punishable as a class B felony or**  
16 **an attempt to commit sexual abuse when the sexual abuse attempted is punishable as a**  
17 **class B felony, or an attempt to kill, it shall be punishable by a fine, not to exceed two**  
18 **hundred fifty thousand dollars, or imprisonment for a term of years not less than five**  
19 **years, or life, or both a fine and imprisonment.**

          566.209. 1. A person commits the crime of trafficking for the purposes of sexual  
2 exploitation if a person knowingly recruits, transports, provides, or obtains by any means another  
3 person for the use or employment of such person in sexual conduct as defined in section 556.061  
4 without his or her consent.

5           **2. [The crime of] Except as provided in subsection 3 of this section, trafficking for the**  
6 **purposes of sexual exploitation is a [class B] felony punishable by a fine, not to exceed two**  
7 **hundred fifty thousand dollars, or imprisonment for a term of years not less than five years**  
8 **and not more than twenty years, or both a fine and imprisonment.**

9           **3. If death results from a violation of this section, or if the violation includes**  
10 **kidnapping or an attempt to kidnap, sexual abuse when punishable as a class B felony or**  
11 **an attempt to commit sexual abuse when the sexual abuse attempted is punishable as a**  
12 **class B felony, or an attempt to kill, it shall be punishable by a fine, not to exceed two**  
13 **hundred fifty thousand dollars, or imprisonment for a term of years not less than five**  
14 **years, or life, or both a fine and imprisonment.**

          566.212. 1. A person commits the crime of sexual trafficking of a child if the individual  
2 knowingly:

3           (1) Recruits, entices, harbors, transports, provides, or obtains by any means a person  
4 under the age of eighteen to participate in a commercial sex act or benefits, financially or by  
5 receiving anything of value, from participation in such activities; or

6           (2) Causes a person under the age of eighteen to engage in a commercial sex act.

7           **2. It shall not be an affirmative defense that the defendant believed that the person was**  
8 **eighteen years of age or older.**

9           **3. [The crime of] Sexual trafficking of a child is a [class A] felony punishable by a fine,**  
10 **not to exceed two hundred fifty thousand dollars, or imprisonment for a term of years not**  
11 **less than ten years, or life, or both a fine and imprisonment if the child is under the age of**  
12 **eighteen.**