

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1247

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LANT.

2417H.01P

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 566.148 as enacted by house bill no. 62, ninety-fifth general assembly, first regular session, and to enact in lieu thereof one new section relating to prohibiting sexual offenders from being near a child care facility, with a penalty provision.

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

Section A. Section 566.148 as enacted by house bill no. 62, ninety-fifth general  
2 assembly, first regular session, is repealed and one new section enacted in lieu thereof, to be  
3 known as section 566.148, to read as follows:

566.148. 1. Any person who has pleaded guilty or nolo contendere to, or been convicted  
2 of, or been found guilty of:

3 (1) Violating any of the provisions of this chapter or the provisions of subsection 2 of  
4 section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree;  
5 subsection 2 of section 568.080, use of a child in a sexual performance; section 568.090,  
6 promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor;  
7 section 573.025, promoting child pornography in the first degree; section 573.035, promoting  
8 child pornography in the second degree; section 573.037, possession of child pornography, or  
9 section 573.040, furnishing pornographic material to minors; or

10 (2) Any offense in any other state or foreign country, or under federal, tribal, or military  
11 jurisdiction which, if committed in this state, would be a violation listed in this section;  
12 shall not knowingly be physically present in or loiter within five hundred feet of or to approach,  
13 contact, or communicate with any child under eighteen years of age in any child care facility

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 building, on the real property comprising any child care facility when persons under the age of  
15 eighteen are present in the building, on the grounds, or in the conveyance, unless the offender  
16 is a parent, legal guardian, or custodian of a student present in the building or on the grounds.

17         2. For purposes of this section, "child care facility" shall [have the same meaning as such  
18 term is defined in section 210.201] **include any child care facility licensed under chapter 210,**  
19 **or any child care facility that is exempt from state licensure but subject to state regulation**  
20 **under section 210.252 and holds itself out to be a child care facility.**

21         3. Any person who violates the provisions of this section is guilty of a class A  
22 misdemeanor.

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