

SECOND REGULAR SESSION

HOUSE BILL NO. 2418

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SOMMER.

5795H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 566.147, RSMo, and to enact in lieu thereof three new sections relating to sexual offenders, with penalty provisions.

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

Section A. Section 566.147, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 419.100, 566.147, and 589.436, to read as follows:

419.100. If a lodging establishment knows a registered sexual offender or person convicted of an offense described under subsection 1 of section 566.147 is staying on its premises, the lodging establishment shall conspicuously post in a prominent and visible area behind the registration desk a sign, in at least thirty-six point print, informing potential customers or clients that there is one or more registered sexual offenders staying on the premises. If a customer is making a reservation via the internet or by telephone at such lodging establishment, it shall be the duty of the lodging establishment to inform the customer at such time that there is one or more registered sexual offenders staying on the premises or scheduled to stay at the premises.

566.147. 1. Any person who, since July 1, 1979, has been or hereafter has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of section 568.080 as it existed prior to January 1, 2017, or section 573.200, use of a child in a sexual performance; section 568.090 as it existed prior to January 1, 2017, or section 573.205, promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child pornography in the first degree; section 573.035, promoting

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.

9 child pornography in the second degree; section 573.037, possession of child pornography, or
10 section 573.040, furnishing pornographic material to minors; or

11 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
12 violation listed in this section[;]

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14 shall not reside within one thousand feet of any public school as defined in section 160.011, any
15 private school giving instruction in a grade or grades not higher than the twelfth grade, or any
16 child care facility that is licensed under chapter 210, or any child care facility as defined in
17 section 210.201 that is exempt from state licensure but subject to state regulation under section
18 210.252 and holds itself out to be a child care facility, where the school or facility is in existence
19 at the time the individual begins to reside at the location.

20 2. If such person has already established a residence and a public school, a private
21 school, or child care facility is subsequently built or placed within one thousand feet of such
22 person's residence, then such person shall, within one week of the opening of such public school,
23 private school, or child care facility, notify the county sheriff where such public school, private
24 school, or child care facility is located that he or she is now residing within one thousand feet of
25 such public school, private school, or child care facility and shall provide verifiable proof to the
26 sheriff that he or she resided there prior to the opening of such public school, private school, or
27 child care facility.

28 3. For purposes of this section, "resides" means sleeps in a residence, which may include
29 more than one location and may be mobile or transitory.

30 4. Violation of the provisions of subsection 1 of this section is a class E felony except
31 that the second or any subsequent violation is a class B felony. Violation of the provisions of
32 subsection 2 of this section is a class A misdemeanor except that the second or subsequent
33 violation is a class E felony.

34 **5. No person described under subsection 1 of this section shall stay at a lodging**
35 **establishment, as that term is defined under section 419.010, without informing such**
36 **lodging establishment of the person's status as a sexual offender. Each night a person stays**
37 **at a lodging establishment without informing the lodging establishment shall be a separate**
38 **violation of this subsection. A violation of this subsection is a class D misdemeanor.**

589.436. No person required to register as a sexual offender under sections 589.400
2 **to 589.425 shall stay at a lodging establishment, as that term is defined under section**
3 **419.010, without informing such lodging establishment of the person's status as a register**
4 **sexual offender. Each night a person stays at a lodging establishment without informing**
5 **the lodging establishment shall be a separate violation of this subsection. A violation of this**
6 **subsection is a class D misdemeanor.**

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