

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 291, Page 22, Section 190.462, Line 44, by inserting after all of said section and line
3 the following:
4

5 "217.735. 1. Notwithstanding any other provision of law to the contrary, the board shall
6 supervise an offender for the duration of his or her natural life when the offender has been found
7 guilty of an offense under:

8 (1) Section 566.030, 566.032, 566.060, 566.062, 566.067, 566.083, 566.100, 566.151,
9 566.212, 566.213, 568.020, 568.080, or 568.090 based on an act committed on or after August 28,
10 2006; or

11 (2) Section 566.068, 566.069, 566.210, 566.211, 573.200, or 573.205 based on an act
12 committed on or after January 1, 2017, against a victim who was less than fourteen years old and the
13 offender is a prior sex offender as defined in subsection 2 of this section.

14 2. For the purpose of this section, a prior sex offender is a person who has previously
15 pleaded guilty to or been found guilty of an offense contained in chapter 566 or violating section
16 568.020 when the person had sexual intercourse or deviate sexual intercourse with the victim, or
17 violating subdivision (2) of subsection 1 of section 568.045.

18 3. Subsection 1 of this section applies to offenders who have been granted probation, and to
19 offenders who have been released on parole, conditional release, or upon serving their full sentence
20 without early release. Supervision of an offender who was released after serving his or her full
21 sentence will be considered as supervision on parole.

22 4. A mandatory condition of lifetime supervision of an offender under this section is that the
23 offender be electronically monitored. Electronic monitoring shall be based on a global positioning
24 system or other technology that identifies and records the offender's location at all times.

25 5. In appropriate cases as determined by a risk assessment, the board may terminate the
26 supervision of an offender who is being supervised under this section when the offender is sixty-five
27 years of age or older.

28 6. In accordance with section 217.040, the board may adopt rules relating to supervision and
29 electronic monitoring of offenders under this section.

30 7. If an offender subject to lifetime supervision under this section is supervised during the
31 offender's probation, parole, or conditional release in a receiving state under the interstate compact
32 authorized in sections 589.500 to 589.569 and chapter 559, following completion of probation,
33 parole, or conditional release the offender shall be permitted to remain in the receiving state, and the
34 board shall defer to the standards of supervision of the receiving state, including electronic
35 monitoring. If at any time the offender returns to Missouri for more than thirty consecutive days,
36 the offender shall be subject to lifetime supervision required by this section."; and

Action Taken _____ Date _____

1
2 Further amend said bill, Page 23, Section 488.5050, Line 21, by inserting after all of said section
3 and line the following:
4

5 "559.106. 1. Notwithstanding any statutory provision to the contrary, when a court grants
6 probation to an offender who has been found guilty of an offense in:

7 (1) Section 566.030, 566.032, 566.060, 566.062, 566.067, 566.083, 566.100, 566.151,
8 566.212, 566.213, 568.020, 568.080, or 568.090, based on an act committed on or after August 28,
9 2006; or

10 (2) Section 566.068, 566.069, 566.210, 566.211, 573.200, or 573.205 based on an act
11 committed on or after January 1, 2017, against a victim who was less than fourteen years of age and
12 the offender is a prior sex offender as defined in subsection 2 of this section;
13 the court shall order that the offender be supervised by the board of probation and parole for the
14 duration of his or her natural life.

15 2. For the purpose of this section, a prior sex offender is a person who has previously been
16 found guilty of an offense contained in chapter 566, or violating section 568.020, when the person
17 had sexual intercourse or deviate sexual intercourse with the victim, or of violating subdivision (2)
18 of subsection 1 of section 568.045.

19 3. When probation for the duration of the offender's natural life has been ordered, a
20 mandatory condition of such probation is that the offender be electronically monitored. Electronic
21 monitoring shall be based on a global positioning system or other technology that identifies and
22 records the offender's location at all times.

23 4. In appropriate cases as determined by a risk assessment, the court may terminate the
24 probation of an offender who is being supervised under this section when the offender is sixty-five
25 years of age or older.

26 5. If an offender subject to lifetime supervision under this section is supervised during the
27 offender's probation, parole, or conditional release in a receiving state under the interstate compact
28 authorized in sections 589.500 to 589.569 and chapter 559, following completion of probation,
29 parole, or conditional release the offender shall be permitted to remain in the receiving state, and the
30 board shall defer to the standards of supervision of the receiving state, including electronic
31 monitoring. If at any time the offender returns to Missouri for more than thirty consecutive days,
32 the offender shall be subject to lifetime supervision required by this section.

33 589.400. 1. Sections 589.400 to 589.425 shall apply to:

34 (1) Any person who, since July 1, 1979, has been or is hereafter adjudicated for an offense
35 referenced in section 589.414, unless such person is exempt from registering under subsection 9 or
36 10 of this section or section 589.401;

37 (2) Any person who, since July 1, 1979, has been or is hereafter convicted of, been found
38 guilty of, or pled guilty or nolo contendere to committing, attempting to commit, or conspiring to
39 commit one or more of the following offenses: kidnapping or kidnapping in the first degree when
40 the victim was a child and the defendant was not a parent or guardian of the child; abuse of a child
41 under section 568.060 when such abuse is sexual in nature; felonious restraint or kidnapping in the
42 second degree when the victim was a child and the defendant is not a parent or guardian of the child;
43 sexual contact or sexual intercourse with a resident of a nursing home or sexual conduct with a
44 nursing facility resident or vulnerable person in the first or second degree; endangering the welfare
45 of a child under section 568.045 when the endangerment is sexual in nature; genital mutilation of a
46 female child, under section 568.065; promoting prostitution in the first degree; promoting
47 prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a
48 minor; promoting child pornography in the first degree; promoting child pornography in the second
49 degree; possession of child pornography; furnishing pornographic material to minors; public display

1 of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first
 2 degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child
 3 in a sexual performance; or promoting sexual performance by a child; patronizing prostitution if the
 4 individual the person patronizes is less than eighteen years of age;

5 (3) Any person who, since July 1, 1979, has been committed to the department of mental
 6 health as a criminal sexual psychopath;

7 (4) Any person who, since July 1, 1979, has been found not guilty as a result of mental
 8 disease or defect of any offense referenced in section 589.414;

9 (5) Any juvenile certified as an adult and transferred to a court of general jurisdiction who
 10 has been adjudicated for an offense listed under section 589.414;

11 (6) Any juvenile fourteen years of age or older at the time of the offense who has been
 12 adjudicated for an offense which is equal to or more severe than aggravated sexual abuse under 18
 13 U.S.C. Section 2241, which shall include any attempt or conspiracy to commit such offense;

14 (7) Any person who is a resident of this state who has, since July 1, 1979, been or is
 15 hereafter adjudicated in any other state, territory, the District of Columbia, or foreign country, or
 16 under federal, tribal, or military jurisdiction for an offense which, if committed in this state, would
 17 constitute an offense listed under section 589.414, or has been or is required to register in another
 18 state, territory, the District of Columbia, or foreign country, or has been or is required to register
 19 under tribal, federal, or military law; or

20 (8) Any person who has been or is required to register in another state, territory, the District
 21 of Columbia, or foreign country, or has been or is required to register under tribal, federal, or
 22 military law and who works or attends an educational institution, whether public or private in
 23 nature, including any secondary school, trade school, professional school, or institution of higher
 24 education on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-
 25 time" in this subdivision means for more than seven days in any twelve-month period.

26 2. Any person to whom sections 589.400 to 589.425 apply shall, within three business days
 27 of adjudication, release from incarceration, or placement upon probation, register with the chief law
 28 enforcement official of the county or city not within a county in which such person resides unless
 29 such person has already registered in that county for the same offense. For any juvenile under
 30 subdivision (6) of subsection 1 of this section, within three business days of adjudication or release
 31 from commitment to the division of youth services, the department of mental health, or other
 32 placement, such juvenile shall register with the chief law enforcement official of the county or city
 33 not within a county in which he or she resides unless he or she has already registered in such county
 34 or city not within a county for the same offense. Any person to whom sections 589.400 to 589.425
 35 apply if not currently registered in their county of residence shall register with the chief law
 36 enforcement official of such county or city not within a county within three business days. The
 37 chief law enforcement official shall forward a copy of the registration form required by section
 38 589.407 to a city, town, village, or campus law enforcement agency located within the county of the
 39 chief law enforcement official.

40 3. The registration requirements of sections 589.400 through 589.425 shall be as provided
 41 under subsection 4 of this section unless:

42 (1) All offenses requiring registration are reversed, vacated, or set aside; or

43 (2) ~~[(The registrant is no longer required to register and his or her name shall be removed~~
 44 ~~from the registry under the provisions of section 589.414; or~~

45 ~~———(3)]~~ The court orders the removal or exemption of such person from the registry under
 46 section 589.401.

47 4. The registration requirements shall be as follows:

48 (1) Fifteen years if the offender is a tier I sex offender as provided under section 589.414;

49 (2) Twenty-five years if the offender is a tier II sex offender as provided under section

1 589.414; or

2 (3) The life of the offender if the offender is a tier III sex offender.

3 5. (1) The registration period shall be reduced as described in subdivision (3) of this
4 subsection for a sex offender who maintains a clean record for the periods described under
5 subdivision (2) of this subsection by:

6 (a) Not being adjudicated of any offense for which imprisonment for more than one year
7 may be imposed;

8 (b) Not being adjudicated of any sex offense;

9 (c) Successfully completing any periods of supervised release, probation, or parole; and

10 (d) Successfully completing an appropriate sex offender treatment program certified by the
11 attorney general.

12 (2) In the case of a:

13 (a) Tier I sex offender, the period during which the clean record shall be maintained is ten
14 years;

15 (b) Tier III sex offender adjudicated delinquent for the offense which required registration in
16 a sex offender registry under sections 589.400 to 589.425, the period during which the clean record
17 shall be maintained is twenty-five years.

18 (3) In the case of a:

19 (a) Tier I sex offender, the reduction is five years;

20 (b) Tier III sex offender adjudicated delinquent, the reduction is from life to that period for
21 which the clean record under paragraph (b) of subdivision (2) of this subsection is maintained.

22 6. For processing an initial sex offender registration the chief law enforcement officer of the
23 county or city not within a county may charge the offender registering a fee of up to ten dollars.

24 7. For processing any change in registration required pursuant to section 589.414 the chief
25 law enforcement official of the county or city not within a county may charge the person changing
26 their registration a fee of five dollars for each change made after the initial registration.

27 8. Any person currently on the sexual offender registry or who otherwise would be required
28 to register for being adjudicated for the offense of felonious restraint of a nonsexual nature when the
29 victim was a child and he or she was the parent or guardian of the child, nonsexual child abuse that
30 was committed under section 568.060, or kidnapping of a nonsexual nature when the victim was a
31 child and he or she was the parent or guardian of the child shall be removed from the registry.
32 However, such person shall remain on the sexual offender registry for any other offense for which
33 he or she is required to register under sections 589.400 to 589.425.

34 9. The following persons shall be exempt from registering as a sexual offender upon petition
35 to the court of jurisdiction under section 589.401; except that, such person shall remain on the
36 sexual offender registry for any other offense for which he or she is required to register under
37 sections 589.400 to 589.425:

38 (1) Any person currently on the sexual offender registry or who otherwise would be required
39 to register for a sexual offense involving:

40 (a) Sexual conduct where no force or threat of force was directed toward the victim or any
41 other individual involved, if the victim was an adult, unless the adult was under the custodial
42 authority of the offender at the time of the offense; or

43 (b) Sexual conduct where no force or threat of force was directed toward the victim, the
44 victim was at least fourteen years of age, and the offender was not more than four years older than
45 the victim at the time of the offense; or

46 (2) Any person currently required to register for the following sexual offenses:

47 (a) Promoting obscenity in the first degree under section 573.020;

48 (b) Promoting obscenity in the second degree under section 573.030;

49 (c) Furnishing pornographic materials to minors under section 573.040;

- 1 (d) Public display of explicit sexual material under section 573.060;
2 (e) Coercing acceptance of obscene material under section 573.065;
3 (f) Trafficking for the purpose of slavery, involuntary servitude, peonage, or forced labor
4 under section 566.206;
5 (g) Abusing an individual through forced labor under section 566.203;
6 (h) Contributing to human trafficking through the misuse of documentation under section
7 566.215; or
8 (i) Acting as an international marriage broker and failing to provide the information and
9 notice as required under section 578.475.

10 10. Any person currently on the sexual offender registry for having been adjudicated for a
11 tier I or II offense or adjudicated delinquent for a tier III offense or other comparable offenses listed
12 under section 589.414 may file a petition under section 589.401.

13 11. Any nonresident worker, including work as a volunteer or intern, or nonresident student
14 shall register for the duration of such person's employment, including participation as a volunteer or
15 intern, or attendance at any school of higher education whether public or private, including any
16 secondary school, trade school, professional school, or institution of higher education on a full-time
17 or part-time basis in this state unless granted relief under section 589.401. Any registered offender
18 shall provide information regarding any place in which the offender is staying when away from his
19 or her residence for seven or more days, including the period of time the offender is staying in such
20 place. Any registered offender from another state who has a temporary residence in this state and
21 resides more than seven days in a twelve-month period shall register for the duration of such
22 person's temporary residency unless granted relief under section 589.401.

23 589.401. 1. A person on the sexual offender registry may file a petition in the division of
24 the circuit court in the county or city not within a county in which the offense requiring registration
25 was committed to have his or her name removed from the sexual offender registry.

26 2. A person who is required to register in this state because of an offense that was
27 adjudicated in another jurisdiction shall file his or her petition for removal according to the laws of
28 the state, federal, territory, tribal, or military jurisdiction, the District of Columbia, or foreign
29 country in which his or her offense was adjudicated. Upon the grant of the petition for removal in
30 the jurisdiction where the offense was adjudicated, such judgment may be registered in this state by
31 sending the information required under subsection 5 of this section as well as one authenticated
32 copy of the order granting removal from the sexual offender registry in the jurisdiction where the
33 offense was adjudicated to the court in the county or city not within a county in which the offender
34 is required to register. On receipt of a request for registration removal, the registering court shall
35 cause the order to be filed as a foreign judgment, together with one copy of the documents and
36 information, regardless of their form. The petitioner shall be responsible for costs associated with
37 filing the petition.

38 3. A person required to register as a tier III offender shall not file a petition under this
39 section unless the requirement to register results from a juvenile adjudication.

40 4. The petition shall be dismissed without prejudice if the following time periods have not
41 elapsed since the date the person was required to register for his or her most recent offense under
42 sections 589.400 to 589.425:

- 43 (1) For a tier I offense, ten years;
44 (2) For a tier II offense, twenty-five years; or
45 (3) For a tier III offense adjudicated delinquent, twenty-five years.

46 5. The petition shall be dismissed without prejudice if it fails to include any of the
47 following:

- 48 (1) The petitioner's:
49 (a) Full name, including any alias used by the individual;

- 1 (b) Sex;
- 2 (c) Race;
- 3 (d) Date of birth;
- 4 (e) Last four digits of the Social Security number;
- 5 (f) Address; and
- 6 (g) Place of employment, school, or volunteer status;
- 7 (2) The offense and tier of the offense that required the petitioner to register;
- 8 (3) The date the petitioner was adjudicated for the offense;
- 9 (4) The date the petitioner was required to register;
- 10 (5) The case number and court, including the county or city not within a county, that entered
- 11 the original order for the adjudicated sex offense;
- 12 (6) Petitioner's fingerprints on an applicant fingerprint card;
- 13 (7) If the petitioner was pardoned or an offense requiring registration was reversed, vacated,
- 14 or set aside, an authenticated copy of the order; and
- 15 (8) If the petitioner is currently registered under applicable law and has not been adjudicated
- 16 for failure to register in any jurisdiction and does not have any charges pending for failure to
- 17 register.
- 18 6. The petition shall name as respondents the Missouri state highway patrol and the chief
- 19 law enforcement official in the county or city not within a county in which the petition is filed.
- 20 7. All proceedings under this section shall be governed under the Missouri supreme court
- 21 rules of civil procedure.
- 22 8. The person seeking removal or exemption from the registry shall provide the prosecuting
- 23 attorney in the circuit court in which the petition is filed with notice of the petition. The prosecuting
- 24 attorney may present evidence in opposition to the requested relief or may otherwise demonstrate
- 25 the reasons why the petition should be denied. Failure of the person seeking removal or exemption
- 26 from the registry to notify the prosecuting attorney of the petition shall result in an automatic denial
- 27 of such person's petition.
- 28 9. The prosecuting attorney in the circuit court in which the petition is filed shall have
- 29 access to all applicable records concerning the petitioner including, but not limited to, criminal
- 30 history records, mental health records, juvenile records, and records of the department of corrections
- 31 or probation and parole.
- 32 10. The prosecuting attorney shall make reasonable efforts to notify the victim of the crime
- 33 for which the person was required to register of the petition and the dates and times of any hearings
- 34 or other proceedings in connection with such petition.
- 35 11. The court shall not enter an order directing the removal of the petitioner's name from the
- 36 sexual offender registry unless it finds the petitioner:
- 37 (1) Has not been adjudicated or does not have charges pending for any additional nonsexual
- 38 offense for which imprisonment for more than one year may be imposed since the date the offender
- 39 was required to register for his or her current tier level;
- 40 (2) Has not been adjudicated or does not have charges pending for any additional sex
- 41 offense that would require registration under sections 589.400 to 589.425 since the date the offender
- 42 was required to register for his or her current tier level, even if the offense was punishable by less
- 43 than one year imprisonment;
- 44 (3) Has successfully completed any required periods of supervised release, probation, or
- 45 parole without revocation since the date the offender was required to register for his or her current
- 46 tier level;
- 47 (4) Has successfully completed an appropriate sex offender treatment program as approved
- 48 by a court of competent jurisdiction or the Missouri department of corrections; and
- 49 (5) Is not a current or potential threat to public safety.

1 12. In order to meet the criteria required by subdivisions (1) and (2) of subsection 11 of this
2 section, the fingerprints filed in the case shall be examined by the Missouri state highway patrol.
3 The petitioner shall be responsible for all costs associated with the fingerprint-based criminal history
4 check of both state and federal files under section 43.530.

5 13. If the petition is denied due to an adjudication in violation of subdivision (1) or (2) of
6 subsection 11 of this section, the petitioner shall not file a new petition under this section until:

7 (1) Fifteen years have passed from the date of the adjudication resulting in the denial of
8 relief if the petitioner is classified as a tier I offender;

9 (2) Twenty-five years have passed from the date of adjudication resulting in the denial of
10 relief if the petitioner is classified as a tier II offender; or

11 (3) Twenty-five years have passed from the date of the adjudication resulting in the denial of
12 relief if the petitioner is classified as a tier III offender on the basis of a juvenile adjudication.

13 14. If the petition is denied due to the petitioner having charges pending in violation of
14 subdivision (1) or (2) of subsection 11 of this section, the petitioner shall not file a new petition
15 under this section until:

16 (1) The pending charges resulting in the denial of relief have been finally disposed of in a
17 manner other than adjudication; or

18 (2) If the pending charges result in an adjudication, the necessary time period has elapsed
19 under subsection 13 of this section.

20 15. If the petition is denied for reasons other than those outlined in subsection 11 of this
21 section, no successive petition requesting such relief shall be filed for at least five years from the
22 date the judgment denying relief is entered.

23 16. If the court finds the petitioner is entitled to have his or her name removed from the
24 sexual offender registry, the court shall enter judgment directing the removal of the name. A copy
25 of the judgment shall be provided to the respondents named in the petition.

26 17. Any person subject to the judgment requiring his or her name to be removed from the
27 sexual offender registry is not required to register under sections 589.400 to 589.425 unless such
28 person is required to register for an offense that was different from that listed on the judgment of
29 removal.

30 18. The court shall not deny the petition unless the petition failed to comply with the
31 provisions of sections 589.400 to 589.425 or the prosecuting attorney provided evidence
32 demonstrating the petition should be denied.

33 589.414. 1. Any person required by sections 589.400 to 589.425 to register shall, within
34 three business days, appear in person to the chief law enforcement officer of the county or city not
35 within a county if there is a change to any of the following information:

36 (1) Name;

37 (2) Residence;

38 (3) Employment, including status as a volunteer or intern;

39 (4) Student status; or

40 (5) A termination to any of the items listed in this subsection.

41 2. Any person required to register under sections 589.400 to 589.425 shall, within three
42 business days, notify the chief law enforcement official of the county or city not within a county of
43 any changes to the following information:

44 (1) Vehicle information;

45 (2) Temporary lodging information;

46 (3) Temporary residence information;

47 (4) Email addresses, instant messaging addresses, and any other designations used in
48 internet communications, postings, or telephone communications; or

49 (5) Telephone or other cellular number, including any new forms of electronic

1 communication.

2 3. The chief law enforcement official in the county or city not within a county shall
3 immediately forward the registration changes described under subsections 1 and 2 of this section to
4 the Missouri state highway patrol within three business days.

5 4. If any person required by sections 589.400 to 589.425 to register changes such person's
6 residence or address to a different county or city not within a county, the person shall appear in
7 person and shall inform both the chief law enforcement official with whom the person last registered
8 and the chief law enforcement official of the county or city not within a county having jurisdiction
9 over the new residence or address in writing within three business days of such new address and
10 phone number, if the phone number is also changed. If any person required by sections 589.400 to
11 589.425 to register changes his or her state, territory, the District of Columbia, or foreign country, or
12 federal, tribal, or military jurisdiction of residence, the person shall appear in person and shall
13 inform both the chief law enforcement official with whom the person was last registered and the
14 chief law enforcement official of the area in the new state, territory, the District of Columbia, or
15 foreign country, or federal, tribal, or military jurisdiction having jurisdiction over the new residence
16 or address within three business days of such new address. Whenever a registrant changes
17 residence, the chief law enforcement official of the county or city not within a county where the
18 person was previously registered shall inform the Missouri state highway patrol of the change within
19 three business days. When the registrant is changing the residence to a new state, territory, the
20 District of Columbia, or foreign country, or federal, tribal, or military jurisdiction, the Missouri state
21 highway patrol shall inform the responsible official in the new state, territory, the District of
22 Columbia, or foreign country, or federal, tribal, or military jurisdiction of residence within three
23 business days.

24 5. Tier I sexual offenders, in addition to the requirements of subsections 1 to 4 of this
25 section, shall report in person to the chief law enforcement official annually in the month of their
26 birth to verify the information contained in their statement made pursuant to section 589.407. Tier I
27 sexual offenders include:

28 (1) Any offender who has been adjudicated for the offense of:

29 (a) ~~[Sexual abuse in the first degree under section 566.100 if the victim is eighteen years of~~
30 ~~age or older;~~

31 ~~—(b) Sexual misconduct involving a child under section 566.083 if it is a first offense and the~~
32 ~~punishment is less than one year;~~

33 ~~—(c) Sexual misconduct in the first degree under section 566.090 as it existed prior to August~~
34 ~~28, 2013, or sexual abuse in the second degree under section 566.101 [if the punishment is less than~~
35 ~~a year], if either offense is a misdemeanor;~~

36 ~~[(d) Kidnapping in the second degree under section 565.120 with sexual motivation;~~

37 ~~—(e) Kidnapping in the third degree under section 565.130;]~~

38 ~~[(f) (b) Sexual conduct with a nursing facility resident or vulnerable person in the first~~
39 ~~degree under section 566.115 [if the punishment is less than one year] if the offense is a~~
40 ~~misdemeanor;~~

41 ~~[(g) (c) Sexual conduct under section 566.116 with a nursing facility resident or vulnerable~~
42 ~~person;~~

43 ~~[(h) (d) Sexual ~~[contact]~~ conduct with a prisoner or offender under section 566.145 if the~~
44 ~~victim is eighteen years of age or older;~~

45 ~~[(i) (e) Sex with an animal under section 566.111;~~

46 ~~[(j) (f) Trafficking for the purpose of sexual exploitation under section 566.209 if the~~
47 ~~victim is eighteen years of age or older;~~

48 ~~[(k) (g) Possession of child pornography under section 573.037;~~

49 ~~[(l) (h) Sexual misconduct in the second degree under section 566.093 as it existed prior to~~

1 August 28, 2013, or sexual misconduct in the first degree under section 566.093;

2 ~~[(m)]~~ (i) Sexual misconduct in the third degree under section 566.095 as it existed prior to
3 August 28, 2013, or sexual misconduct in the second degree under section 566.095;

4 ~~[(n)]~~ (j) Child molestation in the second degree under section 566.068 as it existed prior to
5 January 1, 2017, ~~[if the punishment is less than one year]~~ if the offense is a misdemeanor; ~~[or~~

6 ~~—(o)]~~ (k) Invasion of privacy under section 565.252 if the victim is less than eighteen years of
7 age; or

8 (l) Sexual assault in the second degree under section 566.050 as it existed prior to August
9 28, 1994, if no force or threat of force was used and no injury was inflicted on any person;

10 (2) Any offender who is or has been adjudicated in any other state, territory, the District of
11 Columbia, or foreign country, or under federal, tribal, or military jurisdiction of an offense of a
12 sexual nature or with a sexual element that is comparable to the tier I sexual offenses listed in this
13 subsection or, if not comparable to those in this subsection, comparable to those described as tier I
14 offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child
15 Protection and Safety Act of 2006, Pub. L. 109-248.

16 6. Tier II sexual offenders, in addition to the requirements of subsections 1 to 4 of this
17 section, shall report semiannually in person in the month of their birth and six months thereafter to
18 the chief law enforcement official to verify the information contained in their statement made
19 pursuant to section 589.407. Tier II sexual offenders include:

20 (1) Any offender who has been adjudicated for the offense of:

21 (a) Statutory sodomy in the second degree under section 566.064 if the victim is sixteen to
22 seventeen years of age;

23 (b) Child molestation in the third degree under section 566.069 if the victim is between
24 thirteen and fourteen years of age;

25 ~~(c) [Sexual contact with a student under section 566.086 if the victim is thirteen to~~
26 ~~seventeen years of age;~~

27 ~~—(d)]~~ Enticement of a child under section 566.151;

28 ~~[(e)]~~ (d) Abuse of a child under section 568.060 if the offense is of a sexual nature and the
29 victim is thirteen to seventeen years of age;

30 ~~[(f)]~~ (e) Sexual exploitation of a minor under section 573.023;

31 ~~[(g)]~~ (f) Promoting child pornography in the first degree under section 573.025;

32 ~~[(h)]~~ (g) Promoting child pornography in the second degree under section 573.035;

33 ~~[(i)]~~ (h) Patronizing prostitution under section 567.030;

34 ~~[(j)]~~ (i) Sexual contact with a prisoner or offender under section 566.145 if the victim is
35 thirteen to seventeen years of age;

36 ~~[(k)]~~ (j) Child molestation in the fourth degree under section 566.071 if the victim is thirteen
37 to seventeen years of age;

38 ~~[(l)]~~ (k) Sexual misconduct involving a child under section 566.083 if it is a first offense
39 ~~[and the penalty is a term of imprisonment of more than a year]; [or]~~

40 ~~[(m)]~~ (l) Age misrepresentation with intent to solicit a minor under section 566.153; or

41 (m) Sexual misconduct in the first degree under section 566.090 as it existed prior to August
42 28, 2013, or sexual abuse in the second degree under section 566.101, if either offense is a felony;

43 (2) Any person who is adjudicated of an offense comparable to a tier I offense listed in this
44 section or failure to register offense under section 589.425 or comparable out-of-state failure to
45 register offense and who is already required to register as a tier I offender due to having been
46 adjudicated of a tier I offense on a previous occasion; or

47 (3) Any person who is or has been adjudicated in any other state, territory, the District of
48 Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of a
49 sexual nature or with a sexual element that is comparable to the tier II sexual offenses listed in this

1 subsection or, if not comparable to those in this subsection, comparable to those described as tier II
 2 offenses under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child
 3 Protection and Safety Act of 2006, Pub. L. 109-248.

4 7. Tier III sexual offenders, in addition to the requirements of subsections 1 to 4 of this
 5 section, shall report in person to the chief law enforcement official every ninety days to verify the
 6 information contained in their statement made under section 589.407. Tier III sexual offenders
 7 include:

8 (1) Any offender registered as a predatory sexual offender as defined in section ~~[566.123]~~
 9 566.125 or a persistent sexual offender as defined in section ~~[566.124]~~ 566.125;

10 (2) Any offender who has been adjudicated for the crime of:

11 (a) Rape in the first degree under section 566.030;

12 (b) Statutory rape in the first degree under section 566.032;

13 (c) Rape in the second degree under section 566.031;

14 (d) Endangering the welfare of a child in the first degree under section 568.045 if the
 15 offense is sexual in nature;

16 (e) Sodomy in the first degree under section 566.060;

17 (f) Statutory sodomy under section 566.062;

18 (g) Statutory sodomy under section 566.064 if the victim is under sixteen years of age;

19 (h) Sodomy in the second degree under section 566.061;

20 (i) Sexual misconduct involving a child under section 566.083 if the offense is a second or
 21 subsequent offense;

22 (j) Sexual abuse under section 566.100 as it existed prior to August 28, 2013, or sexual
 23 abuse in the first degree under section 566.100 [if the victim is under thirteen years of age];

24 (k) Kidnapping in the first degree under section 565.110 if the victim is under eighteen years
 25 of age, excluding kidnapping by a parent or guardian;

26 (l) Child kidnapping under section 565.115;

27 (m) Sexual conduct with a nursing facility resident or vulnerable person in the first degree
 28 under section 566.115 ~~[if the punishment is greater than a year]~~ if the offense is a felony;

29 (n) Incest under section 568.020;

30 (o) Endangering the welfare of a child in the first degree under section 568.045 with sexual
 31 intercourse or deviate sexual intercourse with a victim under eighteen years of age;

32 (p) Child molestation in the first degree under section 566.067;

33 (q) Child molestation in the second degree under section 566.068;

34 (r) Child molestation in the third degree under section 566.069 if the victim is under thirteen
 35 years of age;

36 (s) Promoting prostitution in the first degree under section 567.050 if the victim is under
 37 eighteen years of age;

38 (t) Promoting prostitution in the second degree under section 567.060 if the victim is under
 39 eighteen years of age;

40 (u) Promoting prostitution in the third degree under section 567.070 if the victim is under
 41 eighteen years of age;

42 (v) Promoting travel for prostitution under section 567.085 if the victim is under eighteen
 43 years of age;

44 (w) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim is
 45 under eighteen years of age;

46 (x) Sexual trafficking of a child in the first degree under section 566.210;

47 (y) Sexual trafficking of a child in the second degree under section 566.211;

48 (z) Genital mutilation of a female child under section 568.065;

49 (aa) Statutory rape in the second degree under section 566.034;

- 1 (bb) Child molestation in the fourth degree under section 566.071 if the victim is under
2 thirteen years of age;
- 3 (cc) Sexual abuse in the second degree under section 566.101 ~~[if the penalty is a term of~~
4 ~~imprisonment of more than a year]~~ if the offense is a felony;
- 5 (dd) Patronizing prostitution under section 567.030 if the offender is a persistent offender;
- 6 (ee) Abuse of a child under section 568.060 if the offense is of a sexual nature and the
7 victim is under thirteen years of age;
- 8 (ff) Sexual ~~[contact]~~ conduct with a prisoner or offender under section 566.145 if the victim
9 is under thirteen years of age;
- 10 (gg) Sexual ~~[intercourse]~~ conduct with a prisoner or offender under section 566.145;
- 11 (hh) Sexual contact with a student under section 566.086 if the victim is ~~[under thirteen]~~
12 eighteen years of age or under;
- 13 (ii) Use of a child in a sexual performance under section 573.200; ~~[or]~~
- 14 (jj) Felonious restraint under section 565.120 as it existed prior to January 1, 2017, or
15 kidnapping in the second degree under section 565.120, if either offense is sexual in nature;
- 16 (kk) False imprisonment under section 565.130 as it existed prior to January 1, 2017, or
17 kidnapping in the third degree under section 565.130, if either offense is sexual in nature or if the
18 victim is a minor and the offense is a felony;
- 19 (ll) Sexual assault in the second degree under section 566.050 as it existed prior to August
20 28, 1994, if the offense is a class C felony; or
- 21 (mm) Promoting a sexual performance by a child under section 573.205;
- 22 (3) Any offender who is adjudicated for a crime comparable to a tier I or tier II offense
23 listed in this section or failure to register offense under section 589.425, or other comparable out-of-
24 state failure to register offense, who has been or is already required to register as a tier II offender
25 because of having been adjudicated for a tier II offense, two tier I offenses, or combination of a tier I
26 offense and failure to register offense, on a previous occasion;
- 27 (4) Any offender who is adjudicated in any other state, territory, the District of Columbia, or
28 foreign country, or under federal, tribal, or military jurisdiction for an offense of a sexual nature or
29 with a sexual element that is comparable to a tier III offense listed in this section or a tier III offense
30 under the Sex Offender Registration and Notification Act, Title I of the Adam Walsh Child
31 Protection and Safety Act of 2006, Pub. L. 109-248; or
- 32 (5) Any offender who is adjudicated in Missouri for any offense of a sexual nature requiring
33 registration under sections 589.400 to 589.425 that is not classified as a tier I or tier II offense in this
34 section.

35 8. In addition to the requirements of subsections 1 to 7 of this section, all Missouri
36 registrants who work, including as a volunteer or unpaid intern, or attend any school whether public
37 or private, including any secondary school, trade school, professional school, or institution of higher
38 education, on a full-time or part-time basis or have a temporary residence in this state shall be
39 required to report in person to the chief law enforcement officer in the area of the state where they
40 work, including as a volunteer or unpaid intern, or attend any school or training and register in that
41 state. "Part-time" in this subsection means for more than seven days in any twelve-month period.

42 9. If a person who is required to register as a sexual offender under sections 589.400 to
43 589.425 changes or obtains a new online identifier as defined in section 43.651, the person shall
44 report such information in the same manner as a change of residence before using such online
45 identifier."; and

46
47 Further amend said bill by amending the title, enacting clause, and intersectional references
48 accordingly.