

FIRST REGULAR SESSION

# HOUSE BILL NO. 1078

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE KELLEY.

2265H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 217, RSMo, by adding thereto one new section relating to the release of sexually violent offenders.

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

Section A. Chapter 217, RSMo, is amended by adding thereto one new section, to be known as section 217.699, to read as follows:

**217.699. 1. Any person who has been convicted of a sexually violent offense may, upon a first conviction and in addition to any other punishment provided by law, be required to undergo medroxyprogesterone acetate treatment as a part of any conditions of release. Such treatment may utilize an approved pharmaceutical agent other than medroxyprogesterone acetate. Upon a second or subsequent conviction of a sexually violent offense, the person shall be required to undergo such treatment as a condition of release unless, after an appropriate assessment, the court determines that the treatment would not be effective.**

**2. The provisions of this section shall not apply to any person who voluntarily undergoes a permanent surgical alternative approved by the court.**

**3. The department shall promulgate and adopt rules to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**

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.

18 **grant of rulemaking authority and any rule proposed or adopted after August 28, 2015,**  
19 **shall be invalid and void.**

20 **4. For the purposes of this section, the term “sexually violent offense” shall have**  
21 **the same meaning as that term is defined in section 632.480.**

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