

SECOND REGULAR SESSION

HOUSE BILL NO. 2933

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCMULLEN.

5861H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 566.101, RSMo, and to enact in lieu thereof one new section relating to the offense of sexual abuse in the second degree, with penalty provisions.

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

Section A. Section 566.101, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.101, to read as follows:

566.101. 1. A person commits the offense of sexual abuse in the second degree if:
(1) He or she purposely subjects another person to sexual contact without that person's consent; or

(2) **There is sexual contact between a foster parent and his or her foster child.**

2. The offense of sexual abuse in the second degree **under subdivision (1) of subsection 1 of this section** is a class A misdemeanor, unless it is an aggravated sexual offense, in which case it is a class E felony. **The offense of sexual abuse in the second degree under subdivision (2) of subsection 1 of this section is a class A felony.**

3. **It is not a defense to prosecution for a violation under subdivision (2) of subsection 1 of this section that the foster child consented to the sexual contact by the foster parent.**

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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.