

COMMITTEE OF ORIGIN: Standing Committee on Crime Prevention

This bill specifies that, when a child is located by law enforcement and there is reasonable cause to suspect the child may be a victim of sex trafficking, the officer must immediately make a report to the Children's Division within the Department of Social Services. If Children's Division determines that the report merits investigation, the reporting officer and the Division must ensure the immediate safety of the child and must co-investigate the complaint to its conclusion. If there is reasonable cause to believe the child is in imminent danger and that the harm or threat to the child's life may occur before a juvenile court is able to take the child into protective custody, the officer may take or retain temporary protective custody of the child without the consent of the child's parent or parents, guardian, or any other person legally responsible for the child's care.

The bill also creates the "Statewide Council on Sex Trafficking and Sexual Exploitation of Children", which will analyze data relating to sex trafficking and sexual exploitation of children and will collect feedback from stakeholders, practitioners, and leadership throughout the state, and the Council will consist of 16 members, including:

- (1) Two members of the Senate and two members of the House of Representatives;
- (2) The Director of the Children's Division or his or her designee;
- (3) The Director of Public Safety or his or her designee;
- (4) The Director of the Department of Mental Health or his or her designee;
- (5) The Director of the Office of Prosecution Services or his or her designee;
- (6) The Superintendent of the Missouri State Highway Patrol or his or her designee;
- (7) The Executive Director of the statewide network of child advocacy organizations or his or her designee;
- (8) The Executive Director of the statewide coalition against domestic and sexual violence or his or her designee;

(9) The Executive Director of the Missouri Juvenile Justice Association or his or her designee;

(10) The Director of the Attorney General's human trafficking task force or his or her designee;

(11) Two representatives from agencies providing services to victims of child sex trafficking and sexual exploitation; and

(12) A member of the Judiciary, appointed by the Missouri Supreme Court.

On or before December 31, 2023, the date the council expires, the council must submit a report of the council's activities to the Governor, the General Assembly, and the Joint Committee on Child Abuse and Neglect.

The bill also gives the juvenile court exclusive original jurisdiction in proceedings involving a child who has been a victim of sex trafficking or sexual exploitation. Additionally, the bill specifies that a person will not be certified as an adult or adjudicated as a delinquent for the offense of prostitution if the person was under the age of 18 when the offense occurred. In such cases, the person will be classified as a victim of abuse and the abuse must be immediately reported to the Children's Division and to the juvenile officer for appropriate services, treatment, investigation, and other proceedings. Upon request, the local law enforcement agency and prosecuting attorney will assist the Children's Division and the juvenile officer in conducting the investigation.

The bill also adds patronizing prostitution where the victim is under 18 to tier III on the sexual offender registry.

The bill also creates the offense of enabling sexual exploitation of a child, which is committed when a person, acting with criminal negligence, permits or allows a violation of any of the offenses specified in the bill. The offense is a class E felony for the first offense and a class C felony for a second or subsequent offense. If the person who committed the offense is an owner of a business or a business owner's agent and the business provided the location or locations for the exploitation, the business location or locations where the exploitation occurred will be required to close for up to a year for the first offense and permanently close for a second offense.

The bill also creates the offense of patronizing a sexual performance by a child, which is committed when a person obtains, solicits, or participates in a sexual performance by a child. The

offense is a class C felony. This offense is a tier II offense on the sexual offender registry.