

FIRST REGULAR SESSION

# HOUSE BILL NO. 983

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CHAPPELL.

2168H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 566.010, RSMo, and to enact in lieu thereof one new section relating to the definition of sexual contact, with penalty provisions.

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

Section A. Section 566.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.010, to read as follows:

566.010. As used in this chapter and chapter 568, the following terms mean:

(1) "Aggravated sexual offense", any sexual offense, in the course of which, the actor:

(a) Inflicts serious physical injury on the victim;

(b) Displays a deadly weapon or dangerous instrument in a threatening manner;

(c) Subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person;

(d) Had previously been found guilty of an offense under this chapter or under section 573.200, child used in sexual performance; section 573.205, promoting 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 child pornography in the second degree; section 573.037, possession of child pornography; or section 573.040, furnishing pornographic materials to minors; or has previously been found guilty of an offense in another jurisdiction which would constitute an offense under this chapter or said sections;

(e) Commits the offense as part of an act or series of acts performed by two or more persons as part of an established or prescribed pattern of activity; or

(f) Engages in the act that constitutes the offense with a person the actor knows to be, without regard to legitimacy, the actor's:

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 a. Ancestor or descendant by blood or adoption;  
19 b. Stepchild while the marriage creating that relationship exists;  
20 c. Brother or sister of the whole or half blood; or  
21 d. Uncle, aunt, nephew, or niece of the whole blood;
- 22 (2) "Commercial sex act", any sex act on account of which anything of value is given  
23 to or received by any person;
- 24 (3) "Deviate sexual intercourse", any act involving the genitals of one person and the  
25 hand, mouth, tongue, or anus of another person or a sexual act involving the penetration,  
26 however slight, of the penis, female genitalia, or the anus by a finger, instrument or object  
27 done for the purpose of arousing or gratifying the sexual desire of any person or for the  
28 purpose of terrorizing the victim;
- 29 (4) "Forced labor", a condition of servitude induced by means of:
- 30 (a) Any scheme, plan, or pattern of behavior intended to cause a person to believe  
31 that, if the person does not enter into or continue the servitude, such person or another person  
32 will suffer substantial bodily harm or physical restraint; or
- 33 (b) The abuse or threatened abuse of the legal process;
- 34 (5) "Sexual conduct", sexual intercourse, deviate sexual intercourse or sexual contact;
- 35 (6) "Sexual contact", any touching of another person with the genitals or any touching  
36 of the genitals or anus of another person, or the breast of a female person, or such touching  
37 through the clothing, or causing semen, seminal fluid, or other ejaculate to come into contact  
38 with another person, for the purpose of arousing or gratifying the sexual desire of any person  
39 or for the purpose of terrorizing the victim, **or exposing another person to pornographic or**  
40 **obscene material including, but not limited to, material of a digital nature;**
- 41 (7) "Sexual intercourse", any penetration, however slight, of the female genitalia by  
42 the penis.

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