

FIRST REGULAR SESSION

HOUSE BILL NO. 1143

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BUSICK.

1879H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 566.147, 566.148, 566.150, 566.155, 589.401, and 589.414, RSMo, and to enact in lieu thereof six new sections relating to sexual offenders, with penalty provisions.

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

Section A. Sections 566.147, 566.148, 566.150, 566.155, 589.401, and 589.414, RSMo, are repealed and six new sections enacted in lieu thereof, to be known as sections 566.147, 566.148, 566.150, 566.155, 589.401, and 589.414, to read as follows:

566.147. 1. Any person who, since July 1, 1979, has been or hereafter has been found guilty of:

(1) Violating any of the provisions of this chapter or the provisions of section 568.020, incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of section 568.080 as it existed prior to January 1, 2017, or section 573.200, use of a child in a sexual performance; section 568.090 as it existed prior to January 1, 2017, or section 573.205, promoting a 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 material to minors **if the victim is a child under fourteen years of age or the offense of furnishing pornographic material to minors is a felony**; or

(2) Any offense in any other jurisdiction which, if committed in this state, would be a violation listed in this section;

15

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.

16 shall not reside within one thousand feet of any public school as defined in section 160.011, any
17 private school giving instruction in a grade or grades not higher than the twelfth grade, or any
18 child care facility that is licensed under chapter 210, or any child care facility as defined in
19 section 210.201 that is exempt from state licensure but subject to state regulation under section
20 210.252 and holds itself out to be a child care facility, where the school or facility is in existence
21 at the time the individual begins to reside at the location. Such person shall also not reside
22 within one thousand feet of the property line of the residence of a former victim of such person.

23 2. If such person has already established a residence and a public school, a private
24 school, or child care facility is subsequently built or placed within one thousand feet of such
25 person's residence, or a former victim subsequently resides on property with a property line
26 within one thousand feet of such person's residence, then such person shall, within one week of
27 the opening of such public school, private school, or child care facility, or the former victim
28 residing on the property, notify the county sheriff where such public school, private school, child
29 care facility, or residence of a former victim is located that he or she is now residing within one
30 thousand feet of such public school, private school, child care facility, or property line of the
31 residence of a former victim, and shall provide verifiable proof to the sheriff that he or she
32 resided there prior to the opening of such public school, private school, or child care facility, or
33 the former victim residing on the property.

34 3. For purposes of this section, "resides" means sleeps in a residence, which may include
35 more than one location and may be mobile or transitory, but shall not include transitory or longer
36 term presence in facilities licensed under chapters 197 and 198 for purposes of receiving care,
37 treatment, or services from such licensed facility.

38 4. For the purposes of the section, one thousand feet shall be measured from the edge of
39 the offender's property nearest the public school, private school, child care facility, or former
40 victim to the nearest edge of the public school, private school, child care facility, or former
41 victim's property.

42 5. Violation of the provisions of subsection 1 of this section is a class E felony except
43 that the second or any subsequent violation is a class B felony. Violation of the provisions of
44 subsection 2 of this section is a class A misdemeanor except that the second or subsequent
45 violation is a class E felony.

566.148. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or the provisions of section 568.020,
3 incest; section 568.045, endangering the welfare of a child in the first degree; subsection 2 of
4 section 568.080 as it existed prior to January 1, 2017, or section 573.200, use of a child in a
5 sexual performance; section 568.090 as it existed prior to January 1, 2017, or section 573.205,
6 promoting a sexual performance by a child; section 573.023, sexual exploitation of a minor;

7 section 573.025, promoting child pornography in the first degree; section 573.035, promoting
8 child pornography in the second degree; section 573.037, possession of child pornography, or
9 section 573.040, furnishing pornographic material to minors **if the victim is a child under**
10 **fourteen years of age or the offense of furnishing pornographic material to minors is a**
11 **felony**; or

12 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
13 violation listed in this section;

14

15 shall not knowingly be physically present in or loiter within five hundred feet of or to approach,
16 contact, or communicate with any child under eighteen years of age in any child care facility
17 building, on the real property comprising any child care facility when persons under the age of
18 eighteen are present in the building, on the grounds, or in the conveyance, unless the offender
19 is a parent, legal guardian, or custodian of a student present in the building or on the grounds.

20 2. For purposes of this section, "child care facility" shall include any child care facility
21 licensed under chapter 210, or any child care facility that is exempt from state licensure but
22 subject to state regulation under section 210.252 and holds itself out to be a child care facility.

23 3. Violation of the provisions of this section is a class A misdemeanor.

566.150. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or the provisions of section 568.020,
3 incest; section 568.045, endangering the welfare of a child in the first degree; section 573.200,
4 use of a child in a sexual performance; section 573.205, promoting a sexual performance by a
5 child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child
6 pornography; or section 573.040, furnishing pornographic material to minors **if the victim is a**
7 **child under fourteen years of age or the offense of furnishing pornographic material to**
8 **minors is a felony**; or

9 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
10 violation listed in this section;

11

12 shall not knowingly be present in or loiter within five hundred feet of any real property
13 comprising any public park with playground equipment, a public swimming pool, or any
14 museum if such museum holds itself out to the public as and exists with the primary purpose of
15 entertaining or educating children under eighteen years of age; **except that, an offender may**
16 **be present in any real property comprising any public park with playground equipment,**
17 **a public swimming pool, or any museum if such museum holds itself out to the public as**
18 **and exists with the primary purpose of entertaining or educating children under eighteen**
19 **years of age if the offender is present with his or her child or grandchild.**

20 2. The first violation of the provisions of this section is a class E felony.

21 3. A second or subsequent violation of this section is a class D felony.

566.155. 1. Any person who has been found guilty of:

2 (1) Violating any of the provisions of this chapter or the provisions of section 568.020,
3 incest; section 568.045, endangering the welfare of a child in the first degree; section 573.200,
4 use of a child in a sexual performance; section 573.205, promoting a sexual performance by a
5 child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child
6 pornography; or section 573.040, furnishing pornographic material to minors **if the victim is a**
7 **child under fourteen years of age or the offense of furnishing pornographic material to**
8 **minors is a felony**; or

9 (2) Any offense in any other jurisdiction which, if committed in this state, would be a
10 violation listed in this section;

11

12 shall not serve as an athletic coach, manager, or athletic trainer for any sports team in which a
13 child less than seventeen years of age is a member.

14 2. The first violation of the provisions of this section is a class E felony.

15 3. A second or subsequent violation of this section is a class D felony.

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

4 2. A person who is required to register in this state because of an offense that was
5 adjudicated in another jurisdiction shall file his or her petition for removal according to the laws
6 of the state, territory, tribal, or military jurisdiction, the District of Columbia, or foreign country
7 in which his or her offense was adjudicated. Upon the grant of the petition for removal in the
8 jurisdiction where the offense was adjudicated, such judgment may be registered in this state by
9 sending the information required under subsection 5 of this section as well as one authenticated
10 copy of the order granting removal from the sexual offender registry in the jurisdiction where the
11 offense was adjudicated to the court in the county or city not within a county in which the
12 offender is required to register. On receipt of a request for registration removal, the registering
13 court shall cause the order to be filed as a foreign judgment, together with one copy of the
14 documents and information, regardless of their form. The petitioner shall be responsible for
15 costs associated with filing the petition.

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

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

21 (1) For a tier I offense, ten years;

22 (2) For a tier II offense, twenty-five years; or

23 (3) For a tier III offense adjudicated delinquent, twenty-five years.

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

26 (1) The petitioner's:

27 (a) Full name, including any alias used by the individual;

28 (b) Sex;

29 (c) Race;

30 (d) Date of birth;

31 (e) Last four digits of the Social Security number;

32 (f) Address; and

33 (g) Place of employment, school, or volunteer status;

34 (2) The offense and tier of the offense that required the petitioner to register;

35 (3) The date the petitioner was adjudicated for the offense;

36 (4) The date the petitioner was required to register;

37 (5) The case number and court, including the county or city not within a county, that
38 entered the original order for the adjudicated sex offense;

39 (6) Petitioner's fingerprints on an applicant fingerprint card;

40 (7) If the petitioner was pardoned or an offense requiring registration was reversed,
41 vacated, or set aside, an authenticated copy of the order; and

42 (8) If the petitioner is currently registered under applicable law and has not been
43 adjudicated for failure to register in any jurisdiction and does not have any charges pending for
44 failure to register.

45 6. The petition shall name as respondents the Missouri state highway patrol and the chief
46 law enforcement official in the county or city not within a county in which the petition is filed.

47 7. All proceedings under this section shall be governed under the Missouri supreme court
48 rules of civil procedure.

49 8. The person seeking removal or exemption from the registry shall provide the
50 prosecuting attorney in the circuit court in which the petition is filed with notice of the petition.
51 The prosecuting attorney may present evidence in opposition to the requested relief or may
52 otherwise demonstrate the reasons why the petition should be denied. Failure of the person

53 seeking removal or exemption from the registry to notify the prosecuting attorney of the petition
54 shall result in an automatic denial of such person's petition.

55 9. The prosecuting attorney in the circuit court in which the petition is filed shall have
56 access to all applicable records concerning the petitioner including, but not limited to, criminal
57 history records, mental health records, juvenile records, and records of the department of
58 corrections or probation and parole.

59 10. The prosecuting attorney shall make reasonable efforts to notify the victim of the
60 crime for which the person was required to register of the petition and the dates and times of any
61 hearings or other proceedings in connection with such petition.

62 11. The court shall not enter an order directing the removal of the petitioner's name from
63 the sexual offender registry unless it finds the petitioner:

64 (1) Has not been adjudicated or does not have charges pending for any additional
65 nonsexual offense for which imprisonment for more than one year may be imposed since the date
66 the offender was required to register for his or her current tier level;

67 (2) Has not been adjudicated or does not have charges pending for any additional sex
68 offense that would require registration under sections 589.400 to 589.425 since the date the
69 offender was required to register for his or her current tier level, even if the offense was
70 punishable by less than one year imprisonment;

71 (3) Has successfully completed any required periods of supervised release, probation,
72 or parole without revocation since the date the offender was required to register for his or her
73 current tier level;

74 (4) Has successfully completed an appropriate sex offender treatment program as
75 approved by a court of competent jurisdiction or the Missouri department of corrections; and

76 (5) Is not a current or potential threat to public safety.

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

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

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

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

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

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

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

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

98 15. If the petition is denied for reasons other than those outlined in subsection 11 of this
99 section, no successive petition requesting such relief shall be filed for at least [~~five years~~] **one**
100 **year** from the date the judgment denying relief is entered.

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

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

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

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

4 (1) Name;

5 (2) Residence;

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

7 (4) Student status; or

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

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

12 (1) Vehicle information;

13 (2) Temporary lodging information;

14 (3) Temporary residence information;

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

17 (5) Telephone or other cellular number, including any new forms of electronic
18 communication.

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

22 4. If any person required by sections 589.400 to 589.425 to register changes such
23 person's residence or address to a different county or city not within a county, the person shall
24 appear in person and shall inform both the chief law enforcement official with whom the person
25 last registered and the chief law enforcement official of the county or city not within a county
26 having jurisdiction over the new residence or address in writing within three business days of
27 such new address and phone number, if the phone number is also changed. If any person
28 required by sections 589.400 to 589.425 to register changes his or her state, territory, the District
29 of Columbia, or foreign country, or federal, tribal, or military jurisdiction of residence, the person
30 shall appear in person and shall inform both the chief law enforcement official with whom the
31 person was last registered and the chief law enforcement official of the area in the new state,
32 territory, the District of Columbia, or foreign country, or federal, tribal, or military jurisdiction
33 having jurisdiction over the new residence or address within three business days of such new
34 address. Whenever a registrant changes residence, the chief law enforcement official of the
35 county or city not within a county where the person was previously registered shall inform the
36 Missouri state highway patrol of the change within three business days. When the registrant is
37 changing the residence to a new state, territory, the District of Columbia, or foreign country, or
38 federal, tribal, or military jurisdiction, the Missouri state highway patrol shall inform the
39 responsible official in the new state, territory, the District of Columbia, or foreign country, or
40 federal, tribal, or military jurisdiction of residence within three business days.

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

44 Tier I sexual offenders include:

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

46 (a) Sexual abuse in the first degree under section 566.100 if the victim is eighteen years
47 of age or older;

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

- 50 (c) Sexual abuse in the second degree under section 566.101 if the punishment is less
51 than a year;
- 52 (d) Kidnapping in the second degree under section 565.120 with sexual motivation;
- 53 (e) Kidnapping in the third degree under section 565.130;
- 54 (f) Sexual conduct with a nursing facility resident or vulnerable person in the first degree
55 under section 566.115 if the punishment is less than one year;
- 56 (g) Sexual conduct under section 566.116 with a nursing facility resident or vulnerable
57 person;
- 58 (h) Sexual contact with a prisoner or offender under section 566.145 if the victim is
59 eighteen years of age or older;
- 60 (i) Sex with an animal under section 566.111;
- 61 (j) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim
62 is eighteen years of age or older;
- 63 (k) Possession of child pornography under section 573.037;
- 64 (l) Sexual misconduct in the first degree under section 566.093;
- 65 (m) Sexual misconduct in the second degree under section 566.095;
- 66 (n) Child molestation in the second degree under section 566.068 as it existed prior to
67 January 1, 2017, if the punishment is less than one year; or
- 68 (o) Invasion of privacy under section 565.252 if the victim is less than eighteen years of
69 age;
- 70 (2) **Any offender who is required to register under the Sex Offender Registration
71 and Notification Act, Title I of the Adam Walsh Child Protection and Safety Act of 2006,
72 Pub. L. 109-248, for the following offenses:**
- 73 (a) **Promoting obscenity in the first degree under section 573.020;**
- 74 (b) **Promoting obscenity in the second degree under 573.030;**
- 75 (c) **Furnishing pornographic materials to minors under section 573.040;**
- 76 (d) **Public display of explicit sexual material under section 573.060;**
- 77 (e) **Coercing acceptance of obscene material under section 573.065;**
- 78 (f) **Trafficking for the purpose of slavery, involuntary servitude, peonage, or forced
79 labor under section 566.206;**
- 80 (g) **Abusing an individual through forced labor under section 566.203;**
- 81 (h) **Contributing to human trafficking through the misuse of documentation under
82 section 566.215; or**
- 83 (i) **Acting as an international marriage broker and failing to provide the
84 information and notice as required under section 578.475;**

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

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

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

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

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

100 (c) Sexual contact with a student under section 566.086 if the victim is thirteen to
101 seventeen years of age;

102 (d) Enticement of a child under section 566.151;

103 (e) Abuse of a child under section 568.060 if the offense is of a sexual nature and the
104 victim is thirteen to seventeen years of age;

105 (f) Sexual exploitation of a minor under section 573.023;

106 (g) Promoting child pornography in the first degree under section 573.025;

107 (h) Promoting child pornography in the second degree under section 573.035;

108 (i) Patronizing prostitution under section 567.030;

109 (j) Sexual contact with a prisoner or offender under section 566.145 if the victim is
110 thirteen to seventeen years of age;

111 (k) Child molestation in the fourth degree under section 566.071 if the victim is thirteen
112 to seventeen years of age;

113 (l) Sexual misconduct involving a child under section 566.083 if it is a first offense and
114 the penalty is a term of imprisonment of more than a year; or

115 (m) Age misrepresentation with intent to solicit a minor under section 566.153;

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

120 (3) Any person who is or has been adjudicated in any other state, territory, the District
121 of Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense
122 of a sexual nature or with a sexual element that is comparable to the tier II sexual offenses listed
123 in this subsection or, if not comparable to those in this subsection, comparable to those described
124 as tier II offenses under the Sex Offender Registration and Notification Act, Title I of the Adam
125 Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248.

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

130 (1) Any offender registered as a predatory sexual offender as defined in section 566.123
131 or a persistent sexual offender as defined in section 566.124;

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

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

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

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

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

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

139 (f) Statutory sodomy under section 566.062;

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

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

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

144 (j) Sexual abuse in the first degree under section 566.100 if the victim is under thirteen
145 years of age;

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

148 (l) Child kidnapping under section 565.115;

149 (m) Sexual conduct with a nursing facility resident or vulnerable person in the first
150 degree under section 566.115 if the punishment is greater than a year;

151 (n) Incest under section 568.020;

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

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

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

- 156 (r) Child molestation in the third degree under section 566.069 if the victim is under
157 thirteen years of age;
- 158 (s) Promoting prostitution in the first degree under section 567.050 if the victim is under
159 eighteen years of age;
- 160 (t) Promoting prostitution in the second degree under section 567.060 if the victim is
161 under eighteen years of age;
- 162 (u) Promoting prostitution in the third degree under section 567.070 if the victim is under
163 eighteen years of age;
- 164 (v) Promoting travel for prostitution under section 567.085 if the victim is under
165 eighteen years of age;
- 166 (w) Trafficking for the purpose of sexual exploitation under section 566.209 if the victim
167 is under eighteen years of age;
- 168 (x) Sexual trafficking of a child in the first degree under section 566.210;
- 169 (y) Sexual trafficking of a child in the second degree under section 566.211;
- 170 (z) Genital mutilation of a female child under section 568.065;
- 171 (aa) Statutory rape in the second degree under section 566.034;
- 172 (bb) Child molestation in the fourth degree under section 566.071 if the victim is under
173 thirteen years of age;
- 174 (cc) Sexual abuse in the second degree under section 566.101 if the penalty is a term of
175 imprisonment of more than a year;
- 176 (dd) Patronizing prostitution under section 567.030 if the offender is a persistent
177 offender;
- 178 (ee) Abuse of a child under section 568.060 if the offense is of a sexual nature and the
179 victim is under thirteen years of age;
- 180 (ff) Sexual contact with a prisoner or offender under section 566.145 if the victim is
181 under thirteen years of age;
- 182 (gg) Sexual intercourse with a prisoner or offender under section 566.145;
- 183 (hh) Sexual contact with a student under section 566.086 if the victim is under thirteen
184 years of age;
- 185 (ii) Use of a child in a sexual performance under section 573.200; or
- 186 (jj) Promoting a sexual performance by a child under section 573.205;
- 187 (3) Any offender who is adjudicated for a crime comparable to a tier I or tier II offense
188 listed in this section or failure to register offense under section 589.425, or other comparable
189 out-of-state failure to register offense, who has been or is already required to register as a tier II
190 offender because of having been adjudicated for a tier II offense, two tier I offenses, or
191 combination of a tier I offense and failure to register offense, on a previous occasion;

192 (4) Any offender who is adjudicated in any other state, territory, the District of
193 Columbia, or foreign country, or under federal, tribal, or military jurisdiction for an offense of
194 a sexual nature or with a sexual element that is comparable to a tier III offense listed in this
195 section or a tier III offense under the Sex Offender Registration and Notification Act, Title I of
196 the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248; or

197 (5) Any offender who is adjudicated in Missouri for any offense of a sexual nature
198 requiring registration under sections 589.400 to 589.425 that is not classified as a tier I or tier II
199 offense in this section.

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

208 9. If a person who is required to register as a sexual offender under sections 589.400 to
209 589.425 changes or obtains a new online identifier as defined in section 43.651, the person shall
210 report such information in the same manner as a change of residence before using such online
211 identifier.

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