

SECOND REGULAR SESSION

SENATE BILL NO. 1014

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARTLE.

Read 1st time February 25, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

5235S.01I

AN ACT

To repeal section 566.067, RSMo, and to enact in lieu thereof one new section relating to crime, with penalty provisions.

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

Section A. Section 566.067, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.067, to read as follows:

566.067. 1. A person commits the crime of child molestation in the first degree if he or she subjects another person who is less than fourteen years of age to sexual contact.

2. Child molestation in the first degree is a class B felony unless:

(1) The actor has previously **pleaded guilty to or been [convicted] found guilty** of an offense under this chapter, **or has pleaded guilty to or been found guilty of an offense in another jurisdiction that would constitute an offense under this chapter**, or in the course thereof the actor inflicts serious physical injury, displays a deadly weapon or deadly instrument in a threatening manner, or the offense is committed as part of a ritual or ceremony, in which case the crime is a class A felony; or

(2) The victim is a child less than twelve years of age and:

(a) The actor has previously been convicted of an offense under this chapter; or

(b) In the course thereof the actor inflicts serious physical injury, displays a deadly weapon or deadly instrument in a threatening manner, or if the offense is committed as part of a ritual or ceremony, in which case, the crime is a class A felony and such person shall serve his or her term of imprisonment without eligibility for probation or parole.

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EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.