

SECOND REGULAR SESSION

SENATE BILL NO. 640

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

Pre-filed December 1, 2005, and ordered printed.

TERRY L. SPIELER, Secretary.

3335S.01I

AN ACT

To repeal section 567.010, RSMo, and to enact in lieu thereof two new sections relating to prostitution.

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

Section A. Section 567.010, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 488.5360 and 567.010, to read as
3 follows:

**488.5360. Upon a plea of guilty or a finding of guilty for an
2 offense of violating the provisions of section 567.020, RSMo, or 577.003,
3 RSMo, or violations of county or municipal ordinances involving
4 prostitution related offenses, the court may, in addition to imposition
5 of any penalties provided by law, order the convicted person to
6 reimburse the state or local law enforcement agency that made the
7 arrest for the costs associated with such arrest. Such costs shall
8 include the reasonable cost of arresting, processing, charging, blood
9 testing, booking, and holding such person in custody. The state and
10 each local law enforcement agency may establish a schedule of such
11 costs; however, the court may order the costs reduced if it determines
12 that the costs are excessive.**

567.010. As used in this chapter, the following terms mean:

- 2 (1) "Promoting prostitution", a person promotes prostitution if, acting
3 other than as a prostitute or a patron of a prostitute, he knowingly:
- 4 (a) Causes or aids a person to commit or engage in prostitution; or
5 (b) Procures or solicits patrons for prostitution; or
6 (c) Provides persons or premises for prostitution purposes; or

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

7 (d) Operates or assists in the operation of a house of prostitution or a
8 prostitution enterprise; or

9 (e) Accepts or receives or agrees to accept or receive something of value
10 pursuant to an agreement or understanding with any person whereby he
11 participates or is to participate in proceeds of prostitution activity; or

12 (f) Engages in any conduct designed to institute, aid or facilitate an act
13 or enterprise of prostitution;

14 (2) "Prostitution", a person commits prostitution if he engages or offers or
15 agrees to engage in sexual conduct with another person in return for something
16 of value to be received by the person or by a third person;

17 (3) "Patronizing prostitution", a person patronizes prostitution if:

18 (a) Pursuant to a prior understanding, he gives something of value to
19 another person as compensation for that person or a third person having engaged
20 in sexual conduct with him or with another; or

21 (b) He gives or agrees to give something of value to another person on an
22 understanding that in return therefor that person or a third person will engage
23 in sexual conduct with him or with another; or

24 (c) He solicits or requests another person to engage in sexual conduct with
25 him or with another, or to secure a third person to engage in sexual conduct with
26 him or with another, in return for something of value;

27 (4) "Sexual conduct" occurs when there is:

28 (a) "Sexual intercourse" which means any penetration, however slight, of
29 the female sex organ by the male sex organ, whether or not an emission results;
30 or

31 (b) "Deviate sexual intercourse" which means any sexual act involving the
32 genitals of one person and the mouth, hand, tongue or anus of another person; or

33 (c) "Sexual contact" which means any touching, manual or otherwise, of
34 the anus or genitals of one person by another, done for the purpose of arousing
35 or gratifying sexual desire of either party;

36 (5) "Something of value" means any money or property, or any token,
37 object or article exchangeable for money or property;

38 (6) "Prostitution-related offense", any violation of state law [for
39 prostitution, patronizing prostitution or promoting] **or county or municipal**
40 **ordinance related to prostitution, patronizing prostitution, or promoting**
41 **prostitution;**

42 (7) "Persistent prostitution offender", a person is a persistent prostitution

43 offender if they have pled guilty to or been found guilty of two or more
44 prostitution-related offenses.

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Unofficial

Bill

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