

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ Of \_\_\_\_\_

Amend SS/SCS/HCS/House Bill No. 397, Page 76, Section 567.020, Line 13,

by inserting after all of said line the following:

"567.050. 1. A person commits the offense of promoting prostitution in the first degree if he or she knowingly:

(1) Promotes prostitution by compelling a person to enter into, engage in, or remain in prostitution; [or]

(2) Promotes prostitution of a person less than sixteen years of age; or

(3) Owns, manages, or operates an interactive computer service, or conspires or attempts to do so, with the intent to promote or facilitate the prostitution of another. As used in this subdivision, the term "interactive computer service" shall mean: any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the internet and such systems operated or services offered by libraries or educational institutions.

2. The term "compelling" includes:

(1) The use of forcible compulsion;

(2) The use of a drug or intoxicating substance to render a person incapable of controlling his conduct or appreciating its nature;

(3) Withholding or threatening to withhold dangerous drugs

1 or a narcotic from a drug dependent person.

2 3. (1) The offense of promoting prostitution in the first  
3 degree under subdivision (1) or (3) of subsection 1 of this  
4 section is a class B felony.

5 (2) The offense of promoting prostitution in the first  
6 degree under subdivision (3) of subsection 1 of this section is a  
7 class A felony if a person acts in reckless disregard of the fact  
8 that such conduct contributed to the offense of trafficking for  
9 the purposes of sexual exploitation under section 566.209.

10 (3) The offense of promoting prostitution in the first  
11 degree under subdivision (2) of subsection 1 of this section is a  
12 felony punishable by a term of imprisonment not less than ten  
13 years and not to exceed fifteen years.

14 4. A person injured by the acts committed in violation of  
15 subdivision (3) of subsection 1 of this section or subdivision  
16 (2) of subsection 3 of this section shall have a civil cause of  
17 action to recover damages and reasonable attorneys' fees for such  
18 injury.

19 5. In addition to the court's authority to order a  
20 defendant to make restitution for the damage or loss caused by  
21 his or her offense as provided in section 559.105, the court  
22 shall enter a judgment of restitution against the defendant  
23 convicted of violating subdivision (3) of subsection 1 of this  
24 section and subdivision (2) of subsection 3 of this section.";  
25 and

26 Further amend the title and enacting clause accordingly.