

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 37

AN ACT

To repeal section 567.050, RSMo, and to enact in lieu thereof one new section relating to the offense of promoting prostitution, with penalty provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Section 567.050, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 567.050,
3 to read as follows:

4 567.050. 1. A person commits the offense of promoting
5 prostitution in the first degree if he or she knowingly:

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

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

10 (3) Owns, manages, or operates an interactive computer
11 service, or conspires or attempts to do so, with the intent to
12 promote or facilitate the prostitution of another. As used in
13 this subdivision, the term "interactive computer service" shall
14 mean: any information service, system, or access software
15 provider that provides or enables computer access by multiple
16 users to a computer server, including specifically a service or

1 system that provides access to the internet and such systems
2 operated or services offered by libraries or educational
3 institutions.

4 2. The term "compelling" includes:

5 (1) The use of forcible compulsion;

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

9 (3) Withholding or threatening to withhold dangerous drugs
10 or a narcotic from a drug dependent person.

11 3. (1) The offense of promoting prostitution in the first
12 degree [under] pursuant to subdivision (1) or (3) of subsection 1
13 of this section is a class B felony.

14 (2) The offense of promoting prostitution in the first
15 degree pursuant to subdivision (3) of subsection 1 of this
16 section is a class A felony if a person acts in reckless
17 disregard of the fact that such conduct contributed to the
18 offense of trafficking for the purposes of sexual exploitation
19 pursuant to section 566.209.

20 (3) The offense of promoting prostitution in the first
21 degree [under] pursuant to subdivision (2) of subsection 1 of
22 this section is a felony punishable by a term of imprisonment not
23 less than ten years and not to exceed fifteen years.

24 4. A person injured by the acts committed in violation of
25 subdivision (3) of subsection 1 of this section or subdivision
26 (2) of subsection 3 of this section shall have a civil cause of
27 action to recover damages and reasonable attorneys' fees for such
28 injury.

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