

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1637, Page 1, Section A, Line 2, by inserting after said section and line the
2 following:

3
4 "566.010. As used in this chapter and chapter 568, the following terms mean:

5 (1) "Aggravated sexual offense", any sexual offense, in the course of which, the actor:

6 (a) Inflicts serious physical injury on the victim;

7 (b) Displays a deadly weapon or dangerous instrument in a threatening manner;

8 (c) Subjects the victim to sexual intercourse or deviate sexual intercourse with more than
9 one person;

10 (d) Had previously been found guilty of an offense under this chapter or under section
11 573.200, child used in sexual performance; section 573.205, promoting sexual performance by a
12 child; section 573.023, sexual exploitation of a minor; section 573.025, promoting child
13 pornography in the first degree; section 573.035, promoting child pornography in the second degree;
14 section 573.037, possession of child pornography; or section 573.040, furnishing pornographic
15 materials to minors; or has previously been found guilty of an offense in another jurisdiction which
16 would constitute an offense under this chapter or said sections;

17 (e) Commits the offense as part of an act or series of acts performed by two or more persons
18 as part of an established or prescribed pattern of activity; or

19 (f) Engages in the act that constitutes the offense with a person the actor knows to be,
20 without regard to legitimacy, the actor's:

21 a. Ancestor or descendant by blood or adoption;

22 b. Stepchild while the marriage creating that relationship exists;

23 c. Brother or sister of the whole or half blood; or

24 d. Uncle, aunt, nephew, or niece of the whole blood;

25 (2) "Commercial sex act", any sex act on account of which anything of value is given to or
26 received by any person;

27 (3) "Deviate sexual intercourse", any act involving the genitals of one person and the hand,
28 mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight,
29 of the penis, female genitalia, or the anus by a finger, instrument or object done for the purpose of
30 arousing or gratifying the sexual desire of any person or for the purpose of terrorizing the victim;

31 (4) "Forced labor", a condition of servitude induced by means of:

32 (a) Any scheme, plan, or pattern of behavior intended to cause a person to believe that, if the
33 person does not enter into or continue the servitude, such person or another person will suffer
34 substantial bodily harm or physical restraint; or

35 (b) The abuse or threatened abuse of the legal process;

36 (5) "Sexual conduct", sexual intercourse, deviate sexual intercourse or sexual contact;

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1 (6) "Sexual contact", any touching of another person with the genitals or any touching of the
2 genitals or anus of another person, or the breast of a female person, or such touching through the
3 clothing, or causing semen, seminal fluid, or other ejaculate to come into contact with another
4 person, for the purpose of arousing or gratifying the sexual desire of any person or for the purpose
5 of terrorizing the victim;

6 (7) "Sexual intercourse", any penetration, however slight, of the female genitalia by the
7 penis.

8 566.086. 1. A person commits the offense of sexual contact with a student if he or she has
9 sexual contact with a student of the school and is:

10 (1) A teacher, as that term is defined in subdivisions (4), (5), and (7) of section 168.104;

11 (2) A student teacher; ~~or~~

12 (3) An employee of the school; ~~or~~

13 (4) A volunteer of the school or of an organization working with the school on a project or
14 program who is not a student at the school; ~~or~~

15 (5) An elected or appointed official of the school district; ~~or~~

16 (6) A person employed by an entity that contracts with the school or school district to
17 provide services; or

18 (7) A coach, assistant coach, director, or other adult with a school-aged team, club, or
19 ensemble, regardless of whether such team, club, or ensemble is connected to a school or scholastic
20 association. For purposes of this subdivision, "school-aged team, club, or ensemble" means any
21 group organized for individual or group competition for the performance of sports activities or any
22 group organized for individual or group presentation for fine or performing arts, by any child under
23 eighteen years of age.

24 2. For the purposes of this section, "school" shall mean any public or private school in this
25 state serving kindergarten through grade twelve or any school bus used by the school district.

26 3. The offense of sexual contact with a student is a class E felony.

27 4. It is not a defense to prosecution for a violation of this section that the student consented
28 to the sexual contact."; and

29 Further amend said bill by amending the title, enacting clause, and intersectional references
30 accordingly.