

SECOND REGULAR SESSION

HOUSE BILL NO. 1749

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MONACO, HOSMER, WRIGHT, CHAMPION, WILLOUGHBY,
BRITT, JOHNSON (90) (Co-sponsors), JOLLY AND BONNER.

Read 1st time January 31, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4396L.011

AN ACT

To repeal sections 566.030 and 566.060, RSMo, and to enact in lieu thereof two new sections relating to certain sexual offenses, with penalty provisions.

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

Section A. Sections 566.030 and 566.060, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 566.030 and 566.060, to read as follows:

566.030. 1. A person commits the crime of forcible rape if such person has sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. A person commits the crime of attempted forcible rape when, with the purpose of committing the offense, he does any act which is a substantial step towards the commission of the offense. A "substantial step" is conduct which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense.

3. Forcible rape or an attempt to commit forcible rape is a class A felony [for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years].

566.060. 1. A person commits the crime of forcible sodomy if such person has deviate sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. A person commits the crime of attempted forcible sodomy when, with the purpose of committing the offense, he does any act which is a substantial step towards the commission of the offense. A "substantial step" is conduct which is strongly corroborative of the firmness of the actor's purpose to complete the commission of the offense.

3. Forcible sodomy or an attempt to commit forcible sodomy is a class A felony [for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years].



Missouri House of Representatives