

HOUSE BILL NO. 2449

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PARKINSON (Sponsor), JONES (89), GRISAMORE, GATSCHENBERGER, NOLTE, BIVINS, KOENIG, NIEVES AND MUNZLINGER (Co-sponsors).

5481L.021

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 566.200, 566.206, and 577.675, RSMo, and to enact in lieu thereof three new sections relating to illegal immigration, with penalty provisions.

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

Section A. Sections 566.200, 566.206, and 577.675, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 566.200, 566.206, and 577.675, to read as follows:

566.200. As used in sections 566.200 to 566.221, the following terms shall mean:

(1) "Basic rights information", information applicable to a noncitizen, including but not limited to information about human rights, immigration, emergency assistance and resources, and the legal rights and resources for victims of domestic violence;

(2) "Client", a person who is a resident of the United States and the state of Missouri and who contracts with an international marriage broker to meet recruits;

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

(4) "Criminal history record information", criminal history record information, including information provided in a criminal background check, obtained from the Missouri state highway patrol and the Federal Bureau of Investigation;

(5) **"Illegal immigrant", a person who is not a United States citizen and who is not lawfully present in the United States in accordance with 8 U.S.C. Section 1101, et seq., or its successor;**

(6) "International marriage broker":

(a) A corporation, partnership, business, individual, or other legal entity, whether or not organized under any law of the United States or any other state, that charges fees to residents of Missouri for providing dating, matrimonial, or social referrals or matching services between United States citizens or residents and nonresident aliens by providing information or a forum that would permit individuals to contact each other. Such contact shall include, but is not limited to:

a. Providing the name, telephone number, postal address, electronic mail address, or voice message mailbox of an individual, or otherwise facilitating communication between individuals; or

b. Providing an opportunity for an in-person meeting;

(b) Such term shall not include:

a. A traditional matchmaking organization of a religious nature that operates on a nonprofit basis and otherwise operates in compliance with the laws of the countries in which it operates, including the laws of the United States;

b. An entity that provides dating services between United States citizens or residents and other individuals who may be aliens, but does not do so as its principal business, and charges comparable rates to all individuals it serves regardless of the gender or country of citizenship or residence of the individual; or

c. An organization that does not charge a fee to any party for the services provided;

[(6)] (7) "Involuntary servitude or forced labor", a condition of servitude induced by means of:

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

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

[(7)] **(8)** "Marital history information", a declaration of the person's current marital status, the number of times the person has previously been married, and whether any previous marriages occurred as a result of service from an international marriage broker;

[(8)] **(9)** "Peonage", illegal and involuntary servitude in satisfaction of debt;

[(9)] **(10)** "Recruit", a noncitizen, nonresident, recruited by an international marriage broker for the purpose of providing dating, matrimonial, or social referral services.

566.206. 1. A person commits the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor if a person knowingly recruits, harbors, transports, provides, or obtains by any means another person for labor or services, for the purposes of slavery, involuntary servitude, peonage, or forced labor.

2. A person commits the crime of trafficking for the purposes of illegal immigration if, in exchange for anything of value, such person knowingly transports, or assists in the transport of an illegal immigrant within this state with the intent to violate federal immigration law under Title 8 of the United States Code, or its successor.

3. A person who pleads guilty to or is found guilty of the crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor shall not be required to register as a sexual offender pursuant to the provisions of section 589.400, RSMo, unless such person is otherwise required to register pursuant to the provisions of such section.

[3.] **4.** The crime of trafficking for the purposes of slavery, involuntary servitude, peonage, or forced labor is a class B felony.

5. The crime of trafficking for the purpose of illegal immigration is a class B felony.

577.675. 1. It shall be unlawful for any person to knowingly transport, move, or attempt to transport in the state of Missouri any illegal alien who is not lawfully present in the United States, according to the terms of 8 U.S.C. Section 1101, et seq., for the purposes of trafficking in violation of sections 566.200 to 566.215, RSMo, drug trafficking in violation of sections 195.222 and 195.223, RSMo, prostitution in violation of chapter 567, RSMo, or employment.

2. It shall be unlawful for any person to conceal, harbor, or shelter from detection any illegal alien in any place within the state of Missouri including any building or means of transportation, knowing or in reckless disregard of the fact that the illegal alien has come to, entered, or remained in the United States in violation of law. It shall be unlawful for any illegal alien to transport himself or herself within the state of Missouri.

3. Any person violating the provisions of subsection 1 or 2 of this section shall be guilty of a felony for which the authorized term of imprisonment is a term of years not less than one year, or by a fine in an amount not less than one thousand dollars, or by both such fine and imprisonment.

[3.] **4.** Nothing in this section shall be construed to deny any victim of an offense under sections 566.200 to 566.215, RSMo, of rights afforded by the federal Trafficking Victims Protection Act of 2000, Public Law 106-386, as amended.

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