

MINORS: The word "minor" used in Section 563.160, RSMo 1949, to receive definition set forth in Section 457.010, RSMo 1949,

~~that~~ "Minor" is person under 21 years of age.

July 18, 1951



Honorable Albert L. Hencke
Prosecuting Attorney
Franklin County
Union, Missouri

Dear Sir:

The following opinion is rendered in compliance with your request of July 13, 1951, and will only determine the scope of the word "minor" as used in Section 563.160, RSMo 1949, which section reads as follows:

"Any person who in the presence of any minor, shall indulge in any degrading, lewd, immoral or vicious habits or practices; or who shall take indecent or improper liberties with such minor; or who shall publicly expose his or her person to such minor in an obscene or indecent manner; or who shall by language, sign or touching such minor, suggest or refer to any immoral, lewd, lascivious or indecent act, or who shall detain or divert such minor with intent to perpetrate any of the aforesaid acts, shall be considered as annoying or molesting said minor and shall upon conviction be punished by imprisonment in the penitentiary for a period not exceeding five years, or be punished by imprisonment in the county jail for a period not exceeding one year, or be fined in a sum not to exceed five hundred dollars or by both such fine and imprisonment."

Section 457.010, RSMo 1949, classifies minors in the following language:

"All persons of the age of twenty-one years shall be considered of full age for all purposes, except as otherwise provided by law, and until that age is attained they shall be considered minors."

Honorable Albert L. Hencke

The word "minor" used in Section 563.160, RSMo 1949, is used without qualification and no ambiguity is disclosed on the face of the statute which will permit deviation from the definition of such term contained in Section 457.010, RSMo 1949.

CONCLUSION

It is the opinion of this department that the word "minor" as used in Section 563.160, RSMo 1949, includes all persons until they have reached the age of twenty-one years.

Respectfully submitted,

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APPROVED:



J. E. TAYLOR
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