

SECOND REGULAR SESSION

HOUSE BILL NO. 2215

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MOORE, BERKSTRESSER, HENDRICKSON, SECREST,
HOLAND, KELLY (144), LAWSON (Co-sponsors), WRIGHT, PORTWOOD, FARES,
CUNNINGHAM AND ENZ.

Read 1st time March 15, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

5080L.01I

AN ACT

To repeal section 569.140, RSMo, and to enact in lieu thereof one new section relating to trespass, with a penalty provision.

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

Section A. Section 569.140, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 569.140, to read as follows:

569.140. 1. A person commits the crime of trespass in the first degree if he knowingly enters unlawfully or knowingly remains unlawfully in a building or inhabitable structure or upon real property.

2. A person does not commit the crime of trespass in the first degree by entering or remaining upon real property unless the real property is fenced or otherwise enclosed in a manner designed to exclude intruders or as to which notice against trespass is given by:

(1) Actual communication to the actor; or

(2) Posting in a manner reasonably likely to come to the attention of intruders.

3. Trespass in the first degree is a class B misdemeanor **unless, at the time the trespass is being committed, there is present in the building or inhabitable structure another person who is not a participant in the crime in which case it is a class D felony.**