

FIRST REGULAR SESSION

HOUSE BILL NO. 169

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLY (144).

Read 1st time January 13, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0911L.011

AN ACT

To repeal section 565.100, RSMo, and to enact in lieu thereof one new section relating to lack of consent in kidnapping and other crimes involving restraint.

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

Section A. Section 565.100, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 565.100, to read as follows:

565.100. 1. It is an element of the offenses described in sections 565.110 through 565.130 of this chapter that the confinement, movement or restraint be committed without the consent of the victim.

2. Lack of consent results from:

(1) Forcible compulsion; or

(2) Incapacity to consent.

3. A person is deemed incapable of consent if he is

(1) Less than [fourteen] **seventeen** years old; or

(2) Incapacitated.

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is new proposed language.