

SECOND REGULAR SESSION

[PERFECTED]

HOUSE SUBSTITUTE FOR

# HOUSE BILL NO. 1487

92ND GENERAL ASSEMBLY

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Taken up for Perfection March 17, 2004. House Substitute for House Bill No. 1487 ordered Perfected and printed, as amended.

STEPHEN S. DAVIS, Chief Clerk

4646L.04P

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## AN ACT

To repeal section 565.110, RSMo, and to enact in lieu thereof two new sections relating to kidnapping, with penalty provisions and an emergency clause.

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

Section A. Section 565.110, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 565.110 and 565.115, to read as follows:

565.110. 1. A person commits the crime of kidnapping if he **or she** unlawfully removes another without his **or her** consent from the place where he **or she** is found or unlawfully confines another without his **or her** consent for a substantial period, for the purpose of

(1) Holding that person for ransom or reward, or for any other act to be performed or not performed for the return or release of that person; or

(2) Using the person as a shield or as a hostage; or

(3) Interfering with the performance of any governmental or political function; or

(4) Facilitating the commission of any felony or flight thereafter; or

(5) Inflicting physical injury on or terrorizing the victim or another.

2. Kidnapping is a class A felony unless committed under subdivision (4) or (5) of subsection 1 in which cases it is a class B felony.

**565.115. 1. A person commits the crime of child kidnapping if such person is not a relative of the child within the third degree and such person:**

**(1) Unlawfully removes a child under the age of fourteen without the consent of such child's parent or guardian from the place where such child is found; or**

**(2) Unlawfully confines a child under the age of fourteen without the consent of such child's parent or guardian.**

7           **2. Child kidnapping is a class A felony.**

2           Section B. Because immediate action is necessary to protect the children of this state  
3 from kidnapping, section A of this act is deemed necessary for the immediate preservation of the  
4 public health, welfare, peace, and safety, and is hereby declared to be an emergency act within  
5 the meaning of the constitution, and section A of this act shall be in full force and effect upon  
its passage and approval.