

HCS HB 1074 & 1129 -- CROSS BURNING

SPONSOR: Bland (Byrd)

COMMITTEE ACTION: Voted "do pass" by the Special Committee on Urban Issues by a vote of 11 to 0.

This substitute makes it a crime to burn a cross with intent to intimidate any person. The crime is a class A misdemeanor, and a second or subsequent offense is a class D felony.

FISCAL NOTE: No impact on state funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that cross burning is the ultimate act of intimidation and is only done to instill fear. The bill shows that Missouri will not tolerate this behavior. The recent ruling by the United States Supreme Court said that the unique history of cross burning as a means to intimidate was enough to reason that such an action is not afforded protection under the First Amendment.

Testifying for the bill were Representatives Haywood and Byrd; Anti-Defamation League; and Missouri Catholic Conference.

OPPOSERS: There was no opposition voiced to the committee.

Alice Hurley, Legislative Analyst