

HB 2 -- Crime

Sponsor: Lipke

This bill corrects inconsistencies between House Bill 353, House Bill 972, Senate Bill 37, et al., Senate Bill 254, and Senate Bill 402 as enacted by the first regular session of the 93rd General Assembly.

Currently, any owner, occupier, or other person with a lawful right to the use and enjoyment of any property who knowingly allows a person under the age of 21 to drink or possess intoxicating liquor or who fails to stop a person under the age of 21 from drinking or possessing intoxicating liquor on his or her property is guilty of a class A misdemeanor. The bill changes the penalty to a class B misdemeanor. Any subsequent violation is a class A misdemeanor.

The bill changes current laws regarding driving while intoxicated to expand the definitions of "aggravated offender" and "intoxication-related traffic offense" to include murder in the second degree where the underlying felony is an intoxication-related offense. A chronic offender is a person convicted of:

- (1) Four or more intoxication-related offenses;
- (2) Two or more occasions of involuntary manslaughter, aggravated vehicular manslaughter, assault in the second degree, or assault of a law enforcement officer in the second degree; or
- (3) Two intoxication-related offenses and involuntary manslaughter, aggravated vehicular manslaughter, assault in the second degree, or assault of a law enforcement officer in the second degree.

The bill also restructures the statute regarding involuntary manslaughter in the first degree and eliminates Sections 577.625 and 577.628, RSMo, as enacted in House Bill 353 to make the sections consistent with language enacted in Senate Bill 254.

The bill contains an emergency clause.