

FIRST REGULAR SESSION

HOUSE BILL NO. 115

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DENISON (Sponsor), MCGHEE, WALLACE, RUCKER,
MUSCHANY, FISHER, DUSENBERG, WELLS, MOORE, ROBINSON,
MEADOWS AND WETER (Co-sponsors).

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D. ADAM CRUMBLISS, Chief Clerk

0250L.01I

AN ACT

To repeal section 574.085, RSMo, and to enact in lieu thereof one new section relating to institutional vandalism, with a penalty provision.

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

Section A. Section 574.085, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 574.085, to read as follows:

574.085. 1. A person commits the crime of institutional vandalism by knowingly vandalizing, defacing or otherwise damaging:

(1) Any church, synagogue or other building, structure or place used for religious worship or other religious purpose;

(2) Any cemetery, mortuary, military monument or other facility used for the purpose of burial or memorializing the dead;

(3) Any school, educational facility, community center, hospital or medical clinic owned and operated by a religious or sectarian group;

(4) The grounds adjacent to, and owned or rented by, any institution, facility, building, structure or place described in subdivision (1), (2), or (3) of this subsection;

(5) Any personal property contained in any institution, facility, building, structure or place described in subdivision (1), (2), or (3) of this subsection; or

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 (6) Any motor vehicle which is owned, operated, leased or under contract by a school
14 district or a private school for the transportation of school children.

15 2. Institutional vandalism is punishable as follows:

16 (1) Institutional vandalism is **a class D felony if committed under subdivision (2) of**
17 **subsection 1 of this section and** a class A misdemeanor **if committed under subdivision (1),**
18 **(3), (4), (5), or (6) of subsection 1 of this section,** except as provided in subdivisions (2) and
19 (3) of this subsection;

20 (2) Institutional vandalism is a class D felony if the offender commits any act described
21 in subsection 1 of this section which causes damage to, or loss of, the property of another in an
22 amount in excess of one thousand dollars;

23 (3) Institutional vandalism is a class C felony if the offender commits any act described
24 in subsection 1 of this section which causes damage to, or loss of, the property of another in an
25 amount in excess of five thousand dollars.

26 3. In determining the amount of damage to property or loss of property, for purposes of
27 this section, damage includes the cost of repair or, where necessary, replacement of the property
28 that was damaged or lost.

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